

- paragraphing) make the rule easier to understand?
- Would more (but shorter) sections be better?
- Could we improve clarity by adding tables, lists, or diagrams?
- What else could we do to make this rulemaking easier to understand?

If you have any responses to these questions, please include them in your comments on this final rule.

#### K. Regulation Identifier Number (RIN)

The Department of Transportation assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. You may use the RIN contained in the heading at the beginning of this document to find this action in the Unified Agenda.

#### List of Subjects in 49 CFR Part 572

Motor vehicle safety, Incorporation by reference.

In consideration of the foregoing, 49 CFR Part 572 is amended as follows:

#### PART 572—ANTHROPOMORPHIC TEST DUMMIES

1. The authority citation for part 572 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. In § 572.150, paragraphs (a)(1) introductory text and (a)(2) are revised to read as follows:

##### § 572.150 Incorporation by reference.

(a) \* \* \*

(1) A drawings and specifications package entitled “Parts List and Drawings, Subpart R, CRABI 12-Month-Old Infant Crash Test Dummy (CRABI-12, Alpha version) August 2001” and consisting of:

\* \* \* \* \*

(2) A procedures manual entitled “Procedures for Assembly, Disassembly and Inspection (PADI) Subpart R, CRABI 12-Month-Old Infant Crash Test Dummy (CRABI-12, Alpha version) August 2001” incorporated by reference in § 572.155;

\* \* \* \* \*

3. In § 572.154, paragraph (c)(7) is added to read as follows:

##### § 572.154 Thorax assembly and test procedure.

\* \* \* \* \*

(c) \* \* \*

(7) No suspension hardware, suspension cables, or any other

attachments to the probe, including the velocity vane, shall make contact with the dummy during the test.

4. In § 572.155, paragraph (a) is revised and paragraph (i)(2)(iv) is added to read as follows:

##### § 572.155 Test conditions and instrumentation.

(a) The test probe for thoracic impacts, except for attachments, shall be of rigid metallic construction and concentric about its longitudinal axis. Any attachments to the impactor, such as suspension hardware, impact vanes, etc., must meet the requirements of § 572.154(c)(7). The impactor shall have a mass of  $2.86 \pm 0.02$  kg ( $6.3 \pm 0.05$  lbs) and a minimum mass moment of inertia of  $164 \text{ kg-cm}^2$  ( $0.145 \text{ lb-in-sec}^2$ ) in yaw and pitch about the CG of the probe. One-third of the weight of suspension cables and any attachments to the impact probe must be included in the calculation of mass, and such components may not exceed five percent of the total weight of the test probe. The impacting end of the probe, perpendicular to and concentric with the longitudinal axis of the probe, has a flat, continuous, and non-deformable  $101.6 \pm 0.25$  mm ( $4.00 \pm 0.01$  in) diameter face with an edge radius of  $7.6/12.7$  mm ( $0.3/0.5$  in). The impactor shall have a  $101\text{--}103$  mm ( $4\text{--}4.1$  in) diameter cylindrical surface extending for a minimum of  $12.5$  mm ( $0.5$  in) to the rear from the impact face. The probe's end opposite to the impact face has provisions for mounting an accelerometer with its sensitive axis collinear with the longitudinal axis of the probe. The impact probe shall have a free air resonant frequency of not less than  $1000$  Hz measured in line with the longitudinal axis of the impactor, using the test method shown in the Procedures for Assembly, Disassembly and Inspection (PADI) document referenced in § 572.151.

\* \* \* \* \*

(i) \* \* \*

(2) \* \* \*

(iv) Rotation potentiometer response (if used)—CFC 60.

\* \* \* \* \*

Issued: August 7, 2001.

**L. Robert Shelton,**

*Executive Director.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 648

[Docket No. 010410087-1087-01; I.D. 031401B]

RIN 0648-AO07

##### Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 14; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** On May 11, 2001, NMFS published final regulations implementing Framework 14 to the Atlantic Sea Scallop Fishery Management Plan (FMP). One of the measures implemented in the final rule was the continuation of the Hudson Canyon South and Virginia Beach Area closures originally implemented in 1998 and extended through August 8, 2001, through an interim final rule published on February 9, 2001. In the final rule implementing Framework 14, NMFS intended to extend the Mid-Atlantic closures through February 28, 2003, to scallop fishing with the exception of those vessels participating in the Sea Scallop Area Access Program. However, NMFS inadvertently only amended the regulatory text, which then expired on August 8, 2001. This document corrects those errors.

**DATES:** Effective May 1, 2001.

**FOR FURTHER INFORMATION CONTACT:** Peter W. Christopher, Fishery Policy Analyst, 978-281-9280; fax 978-281-9135; e-mail peter.christopher@noaa.gov.

##### SUPPLEMENTARY INFORMATION:

##### Background

On March 31, 1998, NMFS published an interim final rule (63 FR 15324) closing two Mid-Atlantic areas, the Hudson Canyon South and Virginia Beach Sea Scallop Closed Area, to scallop fishing to protect concentrations of juvenile scallops, to reduce fishing mortality, and to increase yield per recruit. The interim rule became effective from April 3, 1998, and was extended through March 26, 1999 (63 FR 51862, September 29, 1998). On March 29, 1999, NMFS published a final rule implementing Amendment 7 to the Atlantic Sea Scallop FMP. Under Amendment 7 and its implementing regulations, the two Mid-Atlantic area

closures were extended through March 1, 2001. On February 9, 2001, NMFS issued an interim final rule extending the closures of the Mid-Atlantic closed areas on an interim basis for 180 days (i.e., August 8, 2001) or until such time that a controlled area access program for these two areas could be implemented through Framework 14 to the Atlantic Sea Scallop FMP, whichever came sooner. On May 1, 2001, NMFS published a final rule (66 FR 21639) implementing Framework 14. However, because this rule contained numerous errors, the document was reprinted in its entirety on May 11, 2001 (66 FR 24052). The final rule implementing Framework 14 became effective on May 1, 2001. That final rule amended portions of § 648.57, Closed and regulated areas. However, § 648.57 was scheduled to expire on August 8, 2001, and, therefore, the "amendments" to § 648.57 implemented under Framework 14 also inadvertently expired on August 8, 2001. NMFS is correcting amendatory instruction 6 of the final rule implementing Framework 14 by "adding" § 648.57 to 50 CFR part 648 and is publishing the regulatory text for this section in its entirety.

#### Need for Correction

As published, the final regulations published on May 11, 2001 (66 FR 24052) contain errors which may prove to be misleading and are in need of clarification.

#### List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: August 23, 2001.

**John Oliver**

*Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 648 is corrected as follows:

#### PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

1. The authority citation for part 648 continues to read as follows:

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

2. Section 648.57 is added to read as follows:

##### § 648.57 Closed and regulated areas.

(a) *Hudson Canyon Sea Scallop Access Area.* Through February 28, 2003, except as provided in §§ 648.52 and 648.58, no vessel may fish for scallops in or land scallops from the area known as the Hudson Canyon Sea Scallop Access Area, and no vessel may possess scallops in the Hudson Canyon

Sea Scallop Access Area, unless such vessel is only transiting the area with all fishing gear unavailable for immediate use as defined in § 648.23(b), or, there is a compelling safety reason to be in such areas without all such gear being unavailable for immediate use. The Hudson Canyon Sea Scallop Access Area (copies of a chart depicting this area are available from the Regional Administrator upon request) is defined by straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
H1	39 30' N.	73 10' W.
H2	39 30' N.	72 30' W.
H3	38 30' N.	73 30' W.
H4	38 40' N.	73 50' W.

(b) *Virginia Beach Sea Scallop Access Area.* Through February 28, 2003, except as provided in §§ 648.52 and 648.58, no vessel may fish for scallops in or land scallops from the area known as the Virginia Beach Sea Scallop Access Area, and no vessel may possess scallops in the Virginia Beach Sea Scallop Access Area, unless such vessel is only transiting the areas with all fishing gear unavailable for immediate use as defined in § 648.23(b), or, there is a compelling safety reason to be in such areas without all such gear being unavailable for immediate use. The Virginia Beach Sea Scallop Access Area (copies of a chart depicting this area are available from the Regional Administrator upon request) is defined by straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
V1	37 00' N.	74 55' W.
V2	37 00' N.	74 35' W.
V3	36 25' N.	74 45' W.
V4	36 25' N.	74 55' W.

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 648

[Docket No. 001121328-1066-03; I.D. 082401D]

##### Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Massachusetts

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure; commercial quota harvested for Massachusetts.

**SUMMARY:** NMFS announces that the summer flounder commercial quota available to the Commonwealth of Massachusetts has been harvested. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may not land summer flounder in Massachusetts for the remainder of calendar year 2001, unless additional quota becomes available through a transfer. Regulations governing the summer flounder fishery require publication of this notification to advise the Commonwealth of Massachusetts that the quota has been harvested, and to advise vessel permit holders and dealer permit holders that no commercial quota is available for landing summer flounder in Massachusetts.

**DATES:** Effective 0001 hours, August 31, 2001, through 2400 hours, December 31, 2001.

**FOR FURTHER INFORMATION CONTACT:** Paul H. Jones, Fishery Policy Analyst, (978) 281-9273.

#### SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned on a percentage basis among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.100.

The initial total commercial quota for summer flounder for the 2001 calendar year was set equal to 10,747,535 lb (4,875,000 kg) (66 FR 16151, March 23, 2001). The percent allocated to vessels landing summer flounder in Massachusetts is 6.82046 percent, or 733,031 lb (332,497 kg). This allocation was adjusted due to an overage in 2000, as provided in § 648.100(e)(4), for a final allocation of 645,663 lb (292,868 kg).

Section 648.101(b) requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor state commercial quotas and to determine when a state's commercial quota is harvested. NMFS then publishes notification in the **Federal Register** advising a state and notifying Federal vessel and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing summer flounder in that state. The Regional