

program. It also identifies the responsibilities of the Government to provide financial and technical assistance to these insurers.

**EFFECTIVE DATE:** October 1, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Edward L. Connor, Federal Emergency Management Agency, Federal Insurance and Mitigation Administration, (202) 646-3429, (facsimile) (202) 646-3445, or (email) [edward.connor@fema.gov](mailto:edward.connor@fema.gov).

**SUPPLEMENTARY INFORMATION:** On August 6, 2001, we published in the **Federal Register** (Vol. 66, No. 151, page 40916) a final rule that adjusted the expense allowance under the Arrangement to reflect more accurately the costs of the private insurers that sell and service flood insurance under the Arrangement. That rule also revised the effective date of the Arrangement.

This final rule revises the effective date of the Arrangement to agree with the new Arrangement year that begins October 1, 2002. We are not making any other changes to the Arrangement for fiscal year 2003.

**National Environmental Policy Act**

The requirements of 44 CFR part 10, Environmental Consideration, categorically exclude this final rule. We have not prepared an environmental impact assessment.

**Executive Order 12866, Regulatory Planning and Review**

This final rule is not a significant regulatory action within the meaning of § 2(f) of E.O. 12866 of September 30, 1993, 58 FR 51735, but attempts to adhere to the regulatory principles set forth in E.O. 12866. The Office of Management and Budget has not reviewed this final rule under E.O. 12866.

**Paperwork Reduction Act**

This final rule does not contain a collection of information and is therefore not subject to the provisions of the Paperwork Reduction Act.

**Executive Order 13132, Federalism**

This final rule involves no policies that have federalism implications under E.O. 13132, Federalism.

**Executive Order 12778, Civil Justice Reform**

This final rule meets the applicable standards of § 2(b)(2) of E.O. 12778.

**List of Subjects in 44 CFR Part 62**

Flood insurance.

Accordingly, we amend 44 CFR Part 62 as follows:

**PART 62—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS**

1. The authority citation for part 62 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

2. In appendix A to part 62, revise the *Effective Date* to read as follows:

**Appendix A to Part 62—Federal Emergency Management Agency, Federal Insurance Administration, Financial Assistance/Subsidy Arrangement**

\* \* \* \* \*

*Effective Date:* October 1, 2002.

\* \* \* \* \*

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance"; No. 83.516, "Disaster Assistance")

Dated: July 30, 2002.

**Howard Leikin,**

*Deputy Administrator for Insurance, Federal Emergency Management Agency.*

[FR Doc. 02-20152 Filed 8-8-02; 8:45 am]

**BILLING CODE 6718-03-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 02-1687, MB Docket No. 02-94, RM-10423]

**Digital Television Broadcast Service; Athens, GA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Georgia Public Telecommunications Commission, licensee of noncommercial station WGTW-TV, substitutes DTV channel \*12 for DTV channel \*22 at Athens, Georgia. *See* 17 FCC Rcd 755 (2002). DTV channel \*12 can be allotted to Athens in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 33-48-18 N. and 84-08-40 W. with a power of 16, HAAT of 305 meters and with a DTV service population of 3211 thousand. With is action, this proceeding is terminated.

**DATES:** Effective September 3, 2002.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report

and Order, MB Docket No. 02-94, adopted July 15, 2002, and released July 19, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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

Digital television broadcasting, Television.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

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

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

**§ 73.622 [Amended]**

2. Section 73.622(b), the Table of Digital Television Allotments under Georgia, is amended by removing DTV channel \*22 and adding DTV channel \*12 at Athens.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 02-20186 Filed 8-8-02; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 02-1668, MB Docket No. 02-84, RM-10339]

**Digital Television Broadcast Service; San Mateo, CA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of San Mateo County Community College District, licensee of noncommercial educational station KCSM-TV, San Mateo, California, substitutes DTV channel \*43 for DTV channel \*59 at San Mateo. *See* 67 FR 20942, April 29, 2002. DTV channel \*43 can be allotted to San Mateo in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 37-45-19 N. and 122-27-06

W. with a power of 1000, HAAT of 444 meters and with a DTV service population of 5476 thousand. With this action, this proceeding is terminated.

**DATES:** Effective September 3, 2002.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 02-84, adopted July 11, 2002, and released July 18, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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

Digital television broadcasting, Television.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

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

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under California, is amended by removing DTV channel \*59 and adding DTV channel \*43 at San Mateo.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 02-20187 Filed 8-8-02; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### 49 CFR Part 393

[Docket No. FMCSA-99-6266]

RIN 2126-AA46

### Brake Performance Requirements for Commercial Motor Vehicles Inspected by Performance-Based Brake Testers

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

**ACTION:** Final rule.

**SUMMARY:** The FMCSA amends the Federal Motor Carrier Safety Regulations (FMCSRs) to establish pass/fail criteria for use with performance-based brake testers (PBBT), which measure the braking performance of commercial motor vehicles. A PBBT is a device that can assess vehicle braking capability through quantitative measure of individual wheel brake forces or overall vehicle brake performance in a controlled test. The specific types of PBBTs addressed in this rule are the roller dynamometer, breakaway torque tester, and flat-plate tester. Only those PBBTs that meet certain functional specifications, developed by FMCSA, can be used to enforce the FMCSRs. The final rule allows motor carriers and State and local enforcement officials to use PBBTs to determine compliance with existing brake performance requirements.

**DATES:** This final rule is effective on February 5, 2002.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary R. Woodford, (202) 366-2978, Office of Bus and Truck Standards and Operations, Federal Motor Carrier Safety Administration (MC-PSV), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

Background  
PBBT Functional Specifications and MCSAP Funding Eligibility  
Current Brake Performance Requirements  
Proposed PBBT Pass/Fail Criteria  
Comments:  
General Support  
Appropriateness of Criteria  
Stopping Distance Requirements  
Post-Inspection PBBT Measurement  
Vehicle Applicability  
Test Procedures and Training  
Effective Date  
Braking Stability, Emergency Brake, and Parking Brake  
Rulemaking Analyses and Notices  
Amendments—Section 393.52

#### Background

On August 9, 2000, the FMCSA published a notice of proposed rulemaking (NPRM) in the **Federal Register** (65 FR 48660), addressing brake performance requirements for commercial motor vehicles (CMVs) inspected by performance-based brake testers (PBBTs). The notice proposed to amend the FMCSRs by establishing pass/fail criteria for PBBTs, when used to measure CMV braking performance.

A PBBT is a device that can assess vehicle braking capability through quantitative measure of individual wheel brake forces, or overall vehicle brake performance, in a controlled test. The specific types of PBBTs addressed in the notice were the roller dynamometer, breakaway torque tester, and flat-plate tester. Only those PBBTs which meet certain functional specifications developed by FMCSA and discussed below could be used to enforce the FMCSRs. The proposal would allow motor carriers and State and local enforcement officials to use PBBTs to determine compliance with § 393.52.

The proposal represented the culmination of agency research that began in the early 1990s. Further information on the research, and on PBBT basic principles of operation, are available in the NPRM of August 9, 2000. The research included: (1) field evaluation tests, "Development, Evaluation, and Application of Performance-Based Brake Testing Technologies," February 1999, Report No. FHWA-MC-98-046, and (2) round-robin tests, "PBBT Round-Robin Testing," February 2000. (The term "round-robin" describes a series of tests in which a single "standard" is used to evaluate the consistency of various test apparatus. In the round-robin presented in this report, the "standard", a specific configuration of brake forces and wheel loads on a heavy-duty vehicle, was used to evaluate the candidate PBBTs and their operating protocols.)

#### PBBT Functional Specifications and MCSAP Funding Eligibility

On August 9, 2000, the FMCSA also published in the **Federal Register** a notice of final determination (65 FR 48799) establishing functional specifications for PBBTs, "Guidelines for Development of Functional Specifications for Performance-Based Brake Testers Used to Inspect Commercial Motor Vehicles." Data gathered during the PBBT field evaluation research served as background for developing the specifications. The specifications are generic, and therefore applicable to a range of PBBT technologies. They include requirements for: (1) Functional performance, such as measurement accuracy with tolerances, calibration, and operator interface, (2) physical characteristics including portability, (3) environmental resistance, (4) operator safety, (5) documentation, including operator and maintenance manuals; and (5) skill level and number of operator personnel required. The specifications also include quality assurance