

definition adequately defines seat failures.

#### A. Cost and Benefits

NHTSA has determined that this rule is not a major rule under Executive Order 12291 nor a significant rule within the meaning of the Department of Transportation's regulatory policies and procedures. A full regulatory evaluation is not required because the rule, if adopted, would have minimal economic impacts. The proposed test procedure would not require any significant design, retooling, or assembly changes. Therefore, the agency does not anticipate any significant additional cost or cost savings. Because the proposal is essentially a clarification of the test procedure, no additional tests would have to be conducted by the vehicle manufacturers. The only change the agency foresees is that manufacturers and test laboratories would have the one-time cost related to revising their test fixtures. In particular, they would have to change their test procedures and add pneumatic or hydraulic rams to their test set-up. Because these changes would require some leadtime to implement, the agency has decided to propose an effective date of January 1, 1992.

NHTSA has considered the effects of this rulemaking action under the Regulatory Flexibility Act. Based upon the agency's evaluation, I certify that this proposed rule would not have a significant economic impact on a substantial number of small entities. While some manufacturers of pedestal seats and seat belt attachments may be small entities, the agency believes that the proposed amendment would not have a significant economic impact on them. This amendment would also affect small businesses, small organizations, and small governmental units to the extent that these entities purchase motor vehicles with pedestal seats. The preceding section reflects the agency's assessment that this amendment would have no significant cost impact to the industry, and therefore it would not result in a significant increase in consumer prices.

As it is required to do under the National Environmental Policy Act of 1969, NHTSA has considered the environmental impact of this proposal and determined that this rule would not have any significant impact on the quality of the human environment.

Further, this rulemaking action has been analyzed in accordance with the principles and criteria contained in Executive Order 12512, and it has been determined that it would have no

Federalism implication that warrants preparation of a Federalism report.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation, 49 CFR part 512.

All comments received before the close of business on the comment closing date indicated above for the proposal will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the final rule will be considered as suggestions for further rulemaking action. Comments on the proposal will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

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

Imports, Motor vehicle safety, Motor vehicles, Reporting and recordkeeping requirements.

In consideration of the foregoing, NHTSA proposes to amend § 571.207 of title 49 of the Code of Federal Regulations as follows:

#### PART 571—[AMENDED]

1. The authority citation for part 571 would continue to read as follows:

Authority: 15 U.S.C. 1392, 1401, 1403, 1407; delegation of authority at 49 CFR 1.50.

2. In § 571.207, S3 would be revised to read as follows:

§ 571.207 Standard No. 207; Seating systems.

\* \* \* \* \*

S3. *Definitions.* *Occupant seat* means a designated seating position, which includes the components above the floor pan.

*Pedestal* means a structure which supports an upper seat and contributes 30 percent or more of a pedestal seat's total weight.

*Pedestal seat* means an assembly of an upper seat and a pedestal.

*Upper seat* means the seat back, the seat pan, and includes any horizontally movable portion of the occupant seat.

\* \* \* \* \*

3. Section 571.207 would be amended by adding S5.1.3 to read as follows:

§ 571.207 Standard No. 207; Seating systems.

\* \* \* \* \*

S5.1.3 If the seat is a pedestal seat, prepare the upper seat in accordance with S5.1.1. Attach a fixture capable of transmitting a force to the center of gravity of the pedestal. Apply a force equal to 20 times the weight of the upper seat horizontally through the center of gravity of the upper seat and simultaneously apply a force equal to 20 times the weight of the pedestal horizontally through the center of gravity of the pedestal.

\* \* \* \* \*

Issued on August 7, 1990.

Barry Felrice,

Associate Administrator for Rulemaking.

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#### DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 646

Snapper-Grouper Fishery of the South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

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

**SUMMARY:** NOAA issues this notice that the South Atlantic Fishery Management Council has submitted Amendment 3 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic (FMP) for Secretarial review and is requesting comments from the public.

**DATE:** Comments will be accepted until October 9, 1990.

**ADDRESSES:** Comments should be sent to Robert A. Sadler, Southeast Regional Office, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702.

Copies of Amendment 3 and supporting documents may be obtained from the South Atlantic Fishery Management Council, Southpark Building, Suite 306, 1 Southpark Circle, Charleston, SC 29407-4699, telephone 803-571-4366

**FOR FURTHER INFORMATION CONTACT:** Robert A. Sadler, 813-893-3722.

**SUPPLEMENTARY INFORMATION:** The Magnuson Fishery Conservation and

Management Act (Magnuson Act) requires that a council-prepared fishery management plan or amendment be submitted to the Secretary of Commerce (Secretary) for review and approval or disapproval. The Magnuson Act also requires that the Secretary, upon receiving the document, immediately publish a notice of its availability for public review and comment. The Secretary will consider public comment in determining approvability of the document.

Amendment 3 to the FMP proposes to (1) add wreckfish to the snapper-grouper fishery management unit; (2) establish a permit requirement to fish for, land, or sell wreckfish; (3) require catch and effort reports from selected, permitted vessels; (4) establish a fishing year that begins on April 16 of each year; (5) establish a quota for the 1991/92 fishing year, which begins on April 16, 1991; (6) close the wreckfish fishery when the quota is reached; (7) establish a spawning-season closure from January

15 through April 15 of each year; (8) establish a trip limit of 10,000 pounds (4,526 kilograms) per vessel; (9) exclude wreckfish from the calculations for determining when a vessel with a trawl aboard is in a directed fishery for fish in the snapper-grouper fishery; (10) provide for annual modifications of specified wreckfish management measures; (11) establish March 28, 1990, as a control date after which anyone entering the fishery for wreckfish will not be assured of access to the fishery, if a limited entry program is implemented; and (12) define overfishing, as it relates to wreckfish.

Proposed regulations to implement Amendment 3 are scheduled to be published by August 23, 1990.

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

Dated: August 8, 1990.

Richard H. Schaefer,

*Director of Office of Fisheries, Conservation and Management, National Marine Fisheries Service.*

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