

*Length* means the straight line horizontal measurement of the overall length from the foremost part of the boat to the aftermost part of the boat, measured from end to end over the deck excluding sheer, and measured parallel to the centerline. Bow sprits, bumpkins, rudders, outboard motor brackets, handles, and other similar fittings, attachments, and extensions are not included in the measurement.

*Monohull boat* means a boat on which the line of intersection of the water surface and the boat at any operating draft forms a single closed curve. For example, a catamaran, trimaran, or a pontoon boat is not a monohull boat.

*Motorwell* means any arrangement of bulkheads or structures that prevents water from entering the passenger carrying area of the boat through any cutout area in the transom for mounting an outboard motor.

*Motorwell height* means the vertical distance from the lowest point of water ingress along the top of the motorwell to a line representing a longitudinal extension of the centerline of the boat's bottom surface, excluding keels. This distance is measured as a projection on the centerline plane of the boat. See Figure 183.3.

*Permanent appurtenances* means equipment that is mounted or fastened, so that it is not removable without the use of tools. Seats, inboard engines, windshields, helm stations, or hardtops are permanent appurtenances. Outboard motors, controls, batteries, and portable fuel tanks are not permanent appurtenances.

*Remote steering* means any mechanical assist device which is rigidly attached to the boat and used in steering the vessel, including but not limited to mechanical, hydraulic, or electrical control systems.

*Sailboat* means a boat designed or intended to use sails as the primary means of propulsion.

*Sheer* means the topmost line in a boat's side. The sheer intersects the vertical centerline plane of the boat at the forward end and intersects the transom (stern) at the aft end. For the purposes of this definition, the topmost line in a boat's side is the line defined by a series of points of contact with the boat structure, by straight lines at 45 degree angles to the horizontal and contained in a vertical plane normal to the outside edge of the boat as seen from above and which are brought into contact with the outside of the horizontal boat. A boat is horizontal when it is transversely level and when the lowest points at 40 percent and 75 percent of the boat's length behind the most forward point of the boat are level.

*Transom* means the surface at the stern of a boat projecting or facing aft. The upper boundary of the transom is the line defined by a series of points of contact, with the boat structure, by straight lines at 45 degree angles to the horizontal and contained in a vertical longitudinal plane and which are brought into contact with the stern of the horizontal boat. A boat is horizontal when it is transversely level and when the lowest points at 40 percent and 75 percent of the boat's length behind the most forward point of the boat are level.

*Vessel* includes every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

\* \* \* \* \*

#### **§ 183.5 [Amended]**

121. In § 183.5, in paragraph (a), remove the words "United States Coast Guard Recreational Boating Product Assurance Branch," and add, in their place, the words "Recreational Boating Product Assurance Division,"; and in paragraph (b), under the entry for Institute of Electrical and Electronic Engineers, remove the words "3435 East 47th Street, New York, NY 10017" and add, in their place, the words "445 Hoes Lane, Piscataway, NJ 08854"; and under the entry for National Fire Protection Association, before the words "Batterymarch Park" add the number "1".

#### **§ 183.110 [Amended]**

122. In § 183.110, in the definition of *ASTM*, remove the words "Room 4210," and add, in their place, the words "Room 1308,"; and remove the word "approved" and add, in its place, the word "approved".

#### **§ 183.402 [Amended]**

123. In § 183.402, all paragraph designators are removed.

### **PART 187—VESSEL IDENTIFICATION SYSTEM**

124. The authority citation for part 187 continues to read as follows:

Authority: 46 U.S.C. 2103; 49 CFR 1.46.

#### **§§ 187.7 and 187.9 [Amended]**

125. In 33 CFR part 187, remove the word "(G-NAB)" and add, in its place, the word "(G-OPB)" in the following places:

- (a) Section 187.7(a); and
- (b) Section 187.9(b).

Dated: June 21, 1996.

Howard L. Hime,

*Acting Director of Standards, Marine Safety and Environmental Protection.*

[FR Doc. 96-16488 Filed 6-27-96; 8:45 am]

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### **33 CFR Part 100**

[CGD08-96-015]

RIN 2115-AE46

### **Special Local Regulations: Kentucky Drag Boat Association Races; Green River Mile 70.0-71.5, Livermore, KY**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** Special local regulations are being adopted for the Kentucky Drag Boat Association races. This event will be held on June 26-30, 1996 from 9 a.m. until 7 p.m. at Livermore, Kentucky. These regulations are needed to provide for the safety of life on navigable waters during the event.

**EFFECTIVE DATES:** This rule is effective at 9 a.m. on June 28, 1996 and will terminate at 7 p.m. on June 30, 1996.

**FOR FURTHER INFORMATION CONTACT:** LT Gregory A. Howard, Chief, Port Operations Department, USCG Marine Safety Office, Louisville, Kentucky at (502) 582-5194, ext. 39.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory History**

In accordance with 5 U.S.C. § 553, a notice of proposed rule making for these regulations has not been published and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rule making procedures would be impracticable. The details of the event were not finalized in sufficient time to publish proposed rules in advance of the event or to provide for a delayed effective date.

##### **Background and Purpose**

The marine event requiring this regulation is a series of quarter mile drag boat races. The event is sponsored by the Kentucky Drag Boat Association. The course to be followed by the race participants will be marked by precisely placed marker buoys positioned at various points along the quarter mile course. Commercial vessels will be permitted to transit the area every three hours.

##### **Regulatory Evaluation**

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not

require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary because of the event's short duration.

#### Small Entities

For the reasons stated above, the Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. § 601 *et seq.*) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This rule contains no information collection requirements under the Paperwork Reduction Act (44 U.S.C. § 3501 *et seq.*).

#### Federalism Assessment

The Coast Guard has analyzed this action in accordance with the principles and criteria of Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environmental Assessment

The Coast Guard considered the environmental impact of this rule and concluded that under section 2.B.2.C. of Commandant Instruction M16475.1B, (as revised by 61 FR 13563; March 27, 1996) this rule is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 100

Marine Safety Navigation (water), Reporting and Recordkeeping requirements, Waterways.

#### Temporary Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows:

#### PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35

2. A temporary § 100.35 T08-015 is added to read as follows:

#### § 100.35 T08-015 Green River near Livermore, Kentucky.

(a) *Regulated area:* Green River mile 70.0-71.5.

(b) *Special local regulation:* All persons and/or vessels not registered with the sponsors as participants or official patrol vessels are considered spectators. "Participants" are those persons and/or vessels identified by the sponsor as taking part in the event. The "official patrol" consists of any Coast Guard, public, state or local law enforcement and/or sponsor provided vessel assigned to patrol the event. The Coast Guard "Patrol Commander" is a Coast Guard commissioned, warrant, or petty officer who has been designated by Commanding Officer, Coast Guard Marine Safety Office Louisville.

(1) No spectators shall anchor, block, loiter in, or impede the transit of participants or official patrol vessels in the regulated area during effective dates and times, unless cleared for such entry by or through an official patrol vessel.

(2) When hailed and/or signaled by an official patrol vessel, a spectator shall come to an immediate stop. Vessels shall comply with all directions given; failure to do so may result in a citation.

(3) The Patrol Commander is empowered to forbid and control the movement of all vessels in the regulated area. The Patrol Commander may terminate the event at any time it is deemed necessary for the protection of life and/or property and can be reached on VHF-FM Channel 16 by using the call sign "PATCOM".

(C) *Effective Dates.* This rule is effective from 9 a.m. June 28, 1996 to 7 p.m. June 30, 1996.

Dated: June 11, 1996.

R.C. North,

Rear Admiral, U.S. Coast Guard Commander, Eighth Coast Guard District.

[FR Doc. 96-16598 Filed 6-27-96; 8:45 am]

BILLING CODE 4910-14-M

#### 33 CFR Part 165

[CGD01-96-051]

RIN 2115-AA97

#### Safety Zone: 100th Anniversary of Fort Hancock Fireworks Display, Sandy Hook Bay, NJ

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for the "100th Anniversary of Fort Hancock" fireworks display located in Sandy Hook Bay, New Jersey. The safety zone is in effect from 9 p.m. until 10:45

p.m. on Saturday June 29, 1996, with a rain date of Sunday June 30, 1996, at the same times. The safety zone temporarily closes all waters of Sandy Hook Bay within a 330 yard radius of a fireworks barge anchored approximately 700 yards west of Sandy Hook Lighthouse.

**EFFECTIVE DATE:** This rule is effective from 9 p.m. until 10:45 p.m. on Saturday June 29, 1996. In case of inclement weather, this rule is effective on Sunday June 30, 1996, at the same times, unless extended or terminated sooner by the Captain of the Port, New York.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant John W. Green, Waterways Oversight Branch, Coast Guard Activities New York, at (212) 668-7906.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing a NPRM and for making this regulation effective less than 30 days after Federal Register publication. Due to the date on which complete information regarding this event was received, there was insufficient time to draft and publish a NPRM. Any delay encountered in this regulation's effective date would be contrary to public interest since immediate action is needed to protect the maritime public from the hazards associated with fireworks exploding from a barge in the waters of Sandy Hook Bay, New Jersey.

##### Background and Purpose

Fireworks By Grucci, Inc., submitted an Application for Approval of Marine Event to hold a fireworks display on the waters of Sandy Hook Bay. The fireworks program is being sponsored by the Sandy Hook Foundation. This regulation establishes a temporary safety zone in all waters of Sandy Hook Bay within a 330 yard radius of the fireworks barge anchored approximately 700 yards west of Sandy Hook Lighthouse at approximately 40°27'40" N latitude, 074°00'36" W longitude (NAD 1983). The safety zone is in effect from 9 p.m. until 10:45 p.m. on June 29, 1996, with a rain date of June 30, 1996, at the same times, unless extended or terminated sooner by the Captain of the Port, New York. The safety zone prevents vessels from transiting this portion of Sandy Hook Bay, adjacent to the western shoreline of Sandy Hook, in the vicinity of Sandy Hook Lighthouse, and is needed to protect mariners from the hazards associated with fireworks exploding in the area.