

Questions for Commenters

1. What would the benefit of eliminating the unbelted test requirement be compared to the projected benefits of the agency's proposed options to allow depowering of air bags? Would eliminating the unbelted test requirement allow greater depowering than adoption of the 80g option? The sled test option? Would greater depowering have benefits or disbenefits?

2. What changes would the manufacturers make in response to the elimination of the unbelted test requirement? How long would it take to implement those changes? Would manufacturers respond differently to eliminating the unbelted test requirement than they would if the agency adopted the 80g option? The sled test option?

3. How and to what extent could air bags be made more effective for belted occupants in the absence of an unbelted test requirement? Would these changes affect the performance of air bags in protecting unbelted occupants?

4. Given current belt use rates, should Federal law continue to require automatic protection for unbelted occupants? If so, should the required level of protection be the same as for belted occupants? Should the ISTEA air bag mandate be repealed to allow manufacturers to provide automatic protection by automatic safety belts?

5. Is there a level of safety belt usage at which it would be appropriate to no longer require protection for unbelted occupants? If so, what level?

6. If the unbelted test requirement were eliminated, should that elimination be coupled with simultaneous compensatory changes to the injury criteria or to the test requirements, or both, to ensure the continued protective value of air bags? Changes might take the form of making the existing criteria more stringent, adding additional criteria, or both. If compensatory changes are desirable, what changes should be made? What level of protectiveness should be required for belted occupants? For unbelted occupants?

7. Would the effects of eliminating the unbelted test requirement be different for driver air bags versus passenger air bags? Have the design changes that the vehicle manufacturers have been making to driver air bags significantly reduced the problem of driver deaths caused by air bags? For unbelted drivers? For belted drivers?

8. If the unbelted test requirement were eliminated, should such elimination be permanent or temporary?

If temporary, for how long should it be suspended? Should it be reinstated after smart air bags are required?

9. Would any potential harm from eliminating the unbelted test fall disproportionately on groups who tend to have lower belt use rates and higher crash rates, such as young drivers? Would the belts designed to protect belted occupants be less effective for unbelted occupants?

10. What should the role of the Federal government be with respect to the design of air bags so as to minimize air bag deaths in low speed crashes? Should government merely point out potential ways of avoiding such consequences and let the marketplace decide whether they should be implemented, or should it mandate features that will minimize the risk?

11. If the unbelted test were to be deleted through legislation, should that action be coupled with measures to secure the enactment of stronger safety belt use laws or other measures to increase safety belt use?

Submission of Comments

Interested persons are invited to submit comments. 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 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 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 mail the postcard back.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

(Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50)

Issued on February 24, 1997.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 022197B]

RIN 0648-A182

Fisheries Off West Coast States and in the Western Pacific; Commercial and Recreational Pacific Salmon Fishery Amendment 12; Pacific Coast Groundfish Fishery Amendment 10

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

ACTION: Notice of availability of amendments to fishery management plans; request for comments.

SUMMARY: NMFS announces that the Pacific Fishery Management Council (Council) has submitted Amendment 12 to the Fishery Management Plan for Commercial and Recreational Salmon Fisheries off the Coasts of Washington, Oregon, and California (Salmon FMP) and Amendment 10 to the Pacific Coast Groundfish Fishery Management Plan (Groundfish FMP) for Secretarial review. Amendment 12 would allow retention, but not sale, of salmon bycatch by groundfish trawl vessels under a monitoring program that meets certain guidelines; would specify Endangered Species Act (ESA) standards as management objectives for salmon species listed under the ESA; and would update the Salmon FMP,

with no change in the FMP's management objectives. Amendment 10 would allow retention, but not sale, of salmon bycatch by groundfish trawl vessels under a monitoring program that meets certain guidelines.

DATES: Comments on Amendments 12 and 10 must be received on or before April 28, 1997.

ADDRESSES: Comments on Amendments 12, 10, or supporting documents should be sent to Mr. William Stelle, Administrator, Northwest Region, NMFS, Sand Point Way NE, BIN C15700, Seattle, WA 98115-0070; or to Ms. Hilda Diaz-Soltero, Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213.

Copies of Amendments 12 and 10, the Environmental Assessment (EA)/Regulatory Impact Review (RIR)/Initial Regulatory Flexibility Analysis (IRFA) are available from Larry Six, Executive Director, Pacific Fishery Management Council, 2130 SW Fifth Ave., Suite 224, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT: William L. Robinson at 206-526-6140, Rodney McInnis at 310-980-4040, or the Pacific Fishery Management Council at 503-326-6352.

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 notice 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.

Amendment 12 to the Pacific Coast Salmon FMP and Amendment 10 to the Groundfish FMP would authorize rulemaking to allow retention of salmon bycatch by groundfish trawl vessels under an appropriate monitoring program. Amendment 12 to the Salmon FMP would also incorporate NMFS ESA standards as management objectives for salmon species listed under the ESA, and update the Salmon FMP, without changing the existing FMP's management objectives.

The portion of the amendment regarding ESA standards is necessary to bring the Salmon FMP into compliance with the March 1996 Biological Opinion issued under section 7 of the ESA regarding the impacts of the Pacific Coast salmon fishery on salmon stocks listed under the ESA. The update of the Salmon FMP merely combines into one document the operative language of the 1984 framework FMP and its amendments. Changes to management

objectives to comply with the ESA and the update of the salmon FMP will result in minor modifications to the salmon regulations. A proposed rule to implement those modifications will be issued shortly.

NMFS welcomes comments on the proposed FMP amendments through the end of the comment period. NMFS will consider the public comments received during the comment period in determining whether to approve the proposed amendments. A proposed rule to implement Amendment 12 to the Salmon FMP has been submitted for Secretarial review and approval. NMFS expects to publish and request public review and comment on this rule in the near future. Public comments on the proposed rule must be received by the end of the comment period on the amendments to be considered in the approval/disapproval decision on the amendments. All comments received by the end of the comment period for the amendments, whether specifically directed to the amendments or the proposed rule, will be considered in the approval/disapproval decision on the amendments.

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

Dated: February 21, 1997.

Bruce Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 97-4871 Filed 2-26-97; 8:45 am]

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