

of S5.3.1, S5.3.3, and S5.3.4 when tested without adjustments other than those specified in this standard. The service brake system on each bus and truck other than a truck tractor manufactured on or after [Compliance date to be inserted] must, under the conditions of S6, meet the requirements of S5.3.1, S5.3.3, S5.3.4, and S5.3.6, when tested without adjustments other than those specified in this standard. The service brake system on each trailer must, under the conditions of S6, meet the requirements of S5.3.3, S5.3.4, and S5.3.5 when tested without adjustments other than those specified in this standard. However, a heavy hauler trailer and the truck and trailer portions of an auto transporter need not meet the requirements of S5.3.

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S5.3.6 Stability and control during braking—trucks and buses. When stopped four consecutive times for each combination of weight, speed, and road conditions specified in S5.3.6.1 and S5.3.6.2, each truck tractor must stop at least three times within the 12-foot lane, without any part of the vehicle leaving the roadway. When stopped four consecutive times for each combination of weight, speed, and road conditions specified in S5.3.6.1 and S5.3.6.2, each bus and truck other than a truck tractor manufactured on or after [Compliance date to be inserted], must stop at least three times within the 12-foot lane, without any part of the vehicle leaving the roadway.

* * * * *

S5.3.6.2 Stop the vehicle, with the vehicle:

(a) Loaded to its GVWR so that the load on each axle measured at the tire-ground interface is most nearly proportional to the axles' respective GAWRs, without exceeding the GAWR of any axle, and

(b) * * *

* * * * *

S6.1.15 Initial brake temperature. Unless otherwise specified, the initial brake temperature is not less than 150°F and not more than 200°F. The temperature of each brake is measured by a single plug-type thermocouple installed in the center of the lining surface of the most heavily loaded shoe or pad as shown in Figure 2. The thermocouple is outside any center groove.

* * * * *

TABLE I—STOPPING SEQUENCE

1. Burnish.
2. Stops on a peak friction coefficient surface of 0.5:

(a) With the vehicle at gross vehicle weight rating (GVWR), stop the vehicle from 30 mph using the service brake, for a single-unit vehicle or for a truck tractor with a loaded unbraked control trailer;

(b) With the vehicle at unloaded weight plus up to 1,500 lbs, stop the vehicle from 30 mph using the service brake, for a truck tractor or a single-unit vehicle;

3. Manual adjustment of the service brakes allowed for truck tractors and single-unit vehicles within the limits recommended by the vehicle manufacturer.

4. Other stops with vehicle at GVWR:

(a) 60 mph service brake stops on a peak friction coefficient surface of 0.9, for a truck tractor with a loaded unbraked control trailer, or for a single-unit vehicle;

(b) 60 mph emergency brake stops on a peak friction coefficient of 0.9, for a single-unit vehicle. Truck tractors are not required to be tested in the loaded condition.

5. Parking brake test with the vehicle loaded to GVWR.

6. Manual adjustment of the service brakes allowed for truck tractors and single-unit vehicles, within the limits recommended by the vehicle manufacturer.

7. Other stops with the vehicle at unloaded weight plus up to 1500 lbs:

(a) 60 mph service brake stops on a peak friction coefficient surface of 0.9, for a truck tractor or for a single-unit vehicle;

(b) 60 mph emergency brake stops on a peak friction coefficient of 0.9, for a truck tractor or for a single-unit vehicle.

8. Parking brake test with the vehicle at unloaded weight plus up to 500 lbs.

9. Final inspection of service brake system for condition of adjustment.

* * * * *

Issued on December 14, 1999.

Stephen R. Kratzke,

Acting Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 991112303-9303-01; I.D. 100499A]

RIN 0648-AM01

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 1999-2000 Catch Specifications for Gulf Group King and Spanish Mackerel

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

ACTION: Proposed rule; request for comments.

SUMMARY: In accordance with the framework procedure for adjusting management measures of the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP), NMFS proposes to increase the total allowable catch (TAC) and the bag limit for Gulf group Spanish mackerel and to establish a new fishing season for the Gulf group king mackerel gillnet fishery. The intended effects of this rule are to enhance the economic and social benefits from the Gulf group king and Spanish mackerel fisheries while maintaining healthy stocks.

DATES: Written comments must be received at the appropriate address or fax number, (see **ADDRESSES**), no later than 5:00 p.m., eastern standard time, on January 20, 2000.

ADDRESSES: Written comments on the proposed rule must be sent to Steve Branstetter, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702. Comments also may be sent via fax to 727-570-5583. Comments will not be accepted if submitted via e-mail or Internet.

Requests for copies of the environmental assessment and regulatory impact review (RIR) supporting this action should be sent to the Gulf of Mexico Fishery Management Council, 3018 U.S. Highway North, Suite 1000, Tampa, FL, 33619-2266, PHONE: 813-228-2815, FAX: 813-225-7015.

FOR FURTHER INFORMATION CONTACT: Steve Branstetter, 727-570-5305.

SUPPLEMENTARY INFORMATION: The fisheries for coastal migratory pelagic resources are regulated under the FMP. The FMP was prepared jointly by the

Gulf of Mexico and South Atlantic Fishery Management Councils and was approved by NMFS and implemented by regulations at 50 CFR part 622.

In accordance with the framework procedures of the FMP, the Gulf of Mexico Fishery Management Council (Council) made recommendations for changes in certain management measures, in a regulatory amendment for 1999–2000 catch specifications, to the Regional Administrator, Southeast Region, NMFS (RA). The recommended changes are within the scope of the management measures that may be adjusted under the framework procedure, as specified in 50 CFR 622.48.

Bag Limit for Captain and Crew of For-Hire Vessels

NMFS recently published a final rule (64 FR 45457, August 20, 1999) establishing a zero-fish bag limit of Gulf group king mackerel for captain and crew of for-hire vessels (i.e., charter vessels and headboats). In the 1999/2000 catch specifications that this rule proposes to implement, the Council proposes to restore the 2–fish-per-person-per-day bag limit for this segment of the fishery, concluding that the management goals to rebuild this stock can be achieved without this restriction. Nevertheless, NMFS continues to believe that a zero-fish bag limit of Gulf group king mackerel for the captain and crew of for-hire vessels is necessary for the adequate conservation and management of this overfished resource. The rationale for its belief is set forth in the preamble to the final rule (64 FR 45457, August 20, 1999) to implement the 1998/1999 catch specifications. Two independent sampling programs indicate that on a per-trip basis the per-angler catch exceeds the allowable bag limit unless the captain and crew are included as anglers. The recreational fishery has consistently overrun its allocation since the 1986/87 fishing year, and the catch attributable to the captain and crew contributes to this problem. NMFS anticipates that a zero-fish bag limit for captains and crew will reduce total charterboat landings by as much as 17 percent. Fifty to sixty-five percent of the total recreational landings are from charterboats, thus the total reduction in recreational catch could be as high as 10–12 percent. Additionally, enforcement of a daily bag limit for captain and crew of for-hire vessels is difficult where those vessels and crews make multiple trips within a day. NMFS also believes that a 0–fish bag limit for Gulf group king mackerel for captain and crew on for-hire vessels will reduce in-season recreational sales, which are

then counted against the commercial quota. This leads to situations where the fish are counted twice: once as a recreational catch, and once as a commercial sale. This double counting of fish contributes to an “artificial” overrun of the commercial quotas. Elimination of this double counting should foster a more accurate depiction of fishing mortality, thus providing more accurate stock assessments. For these reasons, the RA has determined that the Council’s proposed reinstatement of the 2–fish bag limit on Gulf group king mackerel for the captain and crew of for-hire vessels is contrary to the goals and objectives of the FMP and to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Consistent with the FMP framework provisions, the proposed 2–fish bag limit for this fishery is not proposed in this rule. The RA has notified the Council of his action and reasons therefore.

Fishing Season Changes for the Gillnet Fishery

The Council recommends the establishment of a new opening date for the gillnet fishery for Gulf group king mackerel of 6:00 a.m. eastern standard time on the Tuesday following the Martin Luther King, Jr. holiday, with the following weekend open as long as the quota has not been taken. All subsequent weekends and holidays would be closed. Weekend and holiday closures, would be from 6:00 a.m. Saturday to 6:00 a.m. Monday eastern standard time (or Tuesday if Monday is a holiday). During these closures, a person aboard a vessel using or possessing a gillnet with a stretched-mesh size of 4.75 inches (12.1 cm) or larger in the Florida west coast subzone would not be able to fish for or possess Gulf group king mackerel.

The Council proposes this new fishing season because the gillnet fishery has the capability of harvesting large amounts of king mackerel in a short timeframe; thus it is imperative to be able to implement a closure on short notice. The fishery in southern Florida normally is conducted during the month of January. By delaying the opening of the season until after the 3-day weekend associated with the Martin Luther King holiday and by closing all weekends after the first weekend to gillnet fishing, the Council intends to reduce the possibility of the fishery exceeding its allocation because fishing is occurring during a period when a closure notice cannot be published.

Increase TAC for Spanish Mackerel

The Council recommends an increase in the TAC for Gulf group Spanish mackerel from 7.0 to 9.1 million lb (3.2 to 4.1 million kg). This TAC would be at the lower end of the acceptable biological catch range of 9.1 to 17.2 million lb (4.1 to 7.8 million kg), and within the confidence intervals established (7.1 to 9.7 million lb (3.2 to 4.4 million kg)) for maximum sustainable yield. Landings in this fishery have been below the established TAC since the 1989/1990 fishing season. Since the 1995/1996 fishing year, landings have averaged about 2.5 million lb (1.1 million kg) while TAC remained at 7.0 million lb (3.2 million kg). The stock is not overfished or undergoing overfishing, and the Council intends to enhance the social and economic benefits from the fishery by providing optimal utilization of this resource. A 9.1 million-lb (4.1 million-kg) TAC would provide a 3.913 million-lb (1.775 million-kg) allocation to recreational fishing and a 5.187 million-lb (2.353 million-kg) allocation to commercial fishing.

Increase the Recreational Bag Limit for Spanish Mackerel

The Council proposes to increase the bag limit for Gulf group Spanish mackerel from 7 fish off Texas and 10 fish for all other states to 15 fish per person per day for the entire exclusive economic zone (EEZ) in the Gulf (Florida through Texas) with the change to be effective January 1, 2000. The recreational fishery has not met its allocation in recent years under the more restrictive bag limits. Thus, based on the healthy status of the stock and the proposed increase in TAC, the Council intends to provide greater social and economic benefits from the optimal utilization of this resource.

Classification

This proposed rule has been determined to be significant for purposes of E.O. 12866.

The Chief Counsel for Regulation of the Department of Commerce has certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. This certification is based largely on the findings in the RIR. The factual basis for the certification is summarized as follows:

Based on Small Business Administration definitions found in Section 601(3) of the Regulatory

Flexibility Act, there are 1,440 small business entities permitted for commercial coastal migratory pelagics fishing, and an additional 1,113 for-hire (charterboat and headboat) small business entities have permits. A majority of the commercial small business entities will receive insignificant positive benefits from the actions. The actions will not affect significantly for-hire small businesses. The only action affecting commercial revenues is the proposal to change the start date for the gillnet fishery. This change is expected to result in a slight increase in exvessel prices because the commercial catches will be spread more evenly over the year. None of the proposed actions would lead to increased compliance costs, so there are no differential small versus large entity impacts. In addition, there are no expected capital costs of compliance, and there are no additional requirements for bookkeeping or record keeping. Since the expected economic impacts are small and positive, there is no expectation that any of the small business entities comprising the universe will cease business if the actions are implemented.

As a result, a regulatory flexibility analysis was not prepared. Copies of the RIR are available (see **ADDRESSES**).

List of Subjects in 50 CFR Part 622

Fisheries, Fishing, Puerto Rico, Reporting and recordkeeping requirements, Virgin Islands.

Dated: December 15, 1999.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC

1. The authority citation for part 622 continues to read as follows:

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

2. In § 622.34, paragraph (m) is added to read as follows:

§ 622.34 Gulf EEZ seasonal and/or area closures.

* * * * *

(m) *Closures of the Gulf group king mackerel gillnet fishery.* The gillnet fishery for Gulf group king mackerel in or from the EEZ is closed each fishing year from July 1 until 6:00 a.m. on the day after the Martin Luther King Jr. Federal holiday, which is the third Monday in January. The gillnet fishery

also is closed during all subsequent weekends and observed Federal holidays, except for the first weekend following the Martin Luther King Jr. holiday which will remain open to the gillnet fishery provided a notification of closure of that fishery has not been filed under § 622.43(a). Weekend closures are effective from 6:00 a.m. Saturday to 6:00 a.m. Monday. Holiday closures are effective from 6:00 a.m. on the observed Federal holiday to 6:00 a.m. the following day. All times are eastern standard time. During these closures, a person aboard a vessel using or possessing a gillnet with a stretched-mesh size of 4.75 inches (12.1 cm) or larger in the Florida west coast subzone may not fish for or possess Gulf group king mackerel.

3. In § 622.39, paragraph (c)(1)(iv) is revised to read as follows:

§ 622.39 Bag and possession limits.

* * * * *

(c) * * *

(1) * * *

(iv) Gulf migratory group Spanish mackerel—15.

* * * * *

4. In § 622.42, paragraph (c)(2)(i) is revised to read as follows:

§ 622.42 Quotas.

* * * * *

(c) * * *

(2) * * *

(i) *Gulf migratory group.* The quota for the Gulf migratory group of Spanish mackerel is 5.187 million lb (2.353 million kg).

* * * * *

5. In § 622.44, paragraph (a)(2)(ii)(A)(1) is revised to read as follows:

§ 622.44 Commercial trip limits.

* * * * *

(a) * * *

(2) * * *

(ii) * * *

(A) * * *

(1) In the Florida west coast subzone, king mackerel in or from the EEZ may be possessed on board or landed from a vessel for which a commercial permit with a gillnet endorsement has been issued, as required under § 622.4(a)(2)(ii), in amounts not exceeding 25,000 lb (11,340 kg) per day, provided the gillnet fishery for Gulf group king mackerel is not closed under § 622.34(m) or § 622.43(a).

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[FR Doc. 99-32923 Filed 12-20-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 991210329-9329-01; I.D. 102699B]

RIN 0648-AM63

Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Area; Amendment 58 to Revise the Chinook Salmon Savings Areas

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

ACTION: Proposed rule, request for comments.

SUMMARY: NMFS proposes regulations to implement Amendment 58 to the Fishery Management Plan for the Groundfish Fishery in the Bering Sea and Aleutian Islands Area (BSAI) (FMP) and associated recommendations from the North Pacific Fishery Management Council (Council). Amendment 58 would establish a framework to allow NMFS to reduce the annual trawl bycatch limit for chinook salmon and it would revise the Chinook Salmon Savings Area (CHSSA) in the BSAI. This action is necessary to reduce chinook salmon bycatch and is intended to further the conservation and management objectives of the FMP.

DATES: Comments on the proposed rule must be received no later than February 4, 2000.

ADDRESSES: Comments may be sent to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK. NMFS will not accept comments submitted by e-mail or the Internet. Copies of Amendment 58 and the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) prepared for this action may be obtained from the same address or by calling the Alaska Region, NMFS, at 907-586-7228.

FOR FURTHER INFORMATION CONTACT:

Shane Capron, 907-586-7228 or shane.capron@noaa.gov

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fisheries in the BSAI under the FMP. Regulations appearing at 50 CFR part 679 issued under authority of the Magnuson-