

**DATES:** The effective date of the final rule is delayed for 60 days, from February 20, 2001, to a new effective date of April 21, 2001.

**FOR FURTHER INFORMATION CONTACT:** Christina Sames at (202) 366-4561 or christina.sames@rspa.dot.gov. Copies of this document or other material in the docket can be obtained from the Dockets Facility, U.S. DOT, Room #PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. The Dockets Facility is open from 9:00 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays when the facility is closed. The public may review material in the docket by accessing the Docket Management System's home page at <http://dms.dot.gov>.

**SUPPLEMENTARY INFORMATION:** To the extent that 5 U.S.C. section 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the RSPA's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. section 553(b)(B) and 553(d)(3). Seeking public comment is impracticable, unnecessary and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this action effective immediately upon publication.

Issued in Washington, DC on January 31, 2001.

**Edward A. Brigham,**

*Acting Deputy Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA-98-4515; Notice 3]

RIN 2127-AF43

#### Federal Motor Vehicle Safety Standards; Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection: Delay of Effective Date

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001, at 66 FR 7702, this action temporarily delays for 60 days the effective date of the rule entitled "Federal Motor Vehicle Safety Standards; Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection," published in the **Federal Register** on September 27, 2000, at 65 FR 57980. That rule established a new Federal motor vehicle safety standard (FMVSS) No. 305, "Electric-powered vehicles: electrolyte spillage and electrical shock protection" addressing safety issues exclusive to electric vehicles (EVs). Except as noted in the next sentence, the standard applies to all EVs that have a propulsion power source greater than 48 volts and a Gross Vehicle Weight Rating of 4536 kg (10,000 lbs) or less. The standard does not apply to EVs to which FMVSS No. 500, "Low-Speed Vehicles," applies.

**DATES:** The effective date of the "Federal Motor Vehicle Safety Standards; Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection," published in the **Federal Register** on September 27, 2000, at 65 FR 57980, is delayed for 60 days, from October 1, 2001, to a new effective date of December 1, 2001.

**FOR FURTHER INFORMATION CONTACT:** For non-legal issues, contact Charles Hott, Office of Safety Performance Standards, NHTSA (202-366-0427). For legal issues, contact Taylor Vinson, Office of Chief Counsel, NHTSA (202-366-5263).

**SUPPLEMENTARY INFORMATION:** To the extent that 5 U.S.C. section 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section

553(b)(A). Alternatively, NHTSA's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. section 553(b)(3)(B) and 553(d)(3). Seeking public comment is impracticable, unnecessary, and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this action effective immediately upon publication.

**Authority:** 49 U.S.C. 322, 30111, 30115, 30166; delegation of authority at 49 CFR 1.50 and 501.

Issued on January 31, 2001.

**L. Robert Shelton,**

*Executive Director.*

[FR Doc. 01-3213 Filed 2-7-01; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 86

RIN 1018-AF38

#### Boating Infrastructure Grant Program: Delay of Effective Date

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001 (66 FR 7701), this document temporarily delays for 60 days the effective date of the rule entitled "Boating Infrastructure Grant Program," published in the **Federal Register** on January 18, 2001 (66 FR 5282). This rule provides for the uniform administration of the national Boating Infrastructure Grant Program and survey authorized by Section 7404 of the Sportfishing and Boating Safety Act of 1998. Through this program, the

U.S. Fish and Wildlife Service will provide funds to States to install or upgrade tie-up facilities for transient recreational boats 26 feet or more in length.

**EFFECTIVE DATE:** The effective date of the Boating Infrastructure Grant Program rule, adding 50 CFR part 86, published in the **Federal Register** on January 18, 2001, at 66 FR 5282, is delayed for 60 days, from February 20, 2001, to a new effective date of April 21, 2001.

**FOR FURTHER INFORMATION CONTACT:** Steve Farrell, Project Officer, U.S. Fish and Wildlife Service, Division of Federal Aid, 4401 North Fairfax Drive, Suite 140, Arlington, VA 22203;

telephone (703) 358-2156; fax (703) 358-1705; email [steve\\_farrell@fws.gov](mailto:steve_farrell@fws.gov).

**SUPPLEMENTARY INFORMATION:** To the extent that 5 U.S.C. section 553 applies to this action, this action is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. section 553(b)(A). Alternatively, the Department's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. sections 553(b)(3)(B) and 553(d)(3), in that seeking public comment is impractical, unnecessary and contrary to the public interest. The temporary 60-day delay in

effective date is necessary to give Department officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

Dated: February 2, 2001.

**Timothy S. Elliott,**

*Acting Deputy Solicitor.*

[FR Doc. 01-3224 Filed 2-7-01; 8:45 am]

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