

operations and maintenance of commercial motor vehicles, to inspect vehicles and equipment for compliance with applicable safety standards and maintenance requirements, and to take enforcement action as necessary.

The Administrators of the National Highway Traffic Safety Administration and the Federal Motor Carrier Safety Administration have the authority to redelegate the functions described in this document if not inconsistent with statute, departmental regulations, policies, and orders governing delegation of functions.

As the rule relates to Departmental organization, procedure, and practice, notice and comment on it are unnecessary under 5 U.S.C. 553(b). This action makes no substantive changes to the motor carrier safety regulations. Therefore, prior notice and opportunity to comment are unnecessary, and good cause exists under 5 U.S.C. 553(d)(3) to dispense with the 30-day delay in the effective date requirement so that the National Highway Traffic Safety Administration and the Federal Motor Carrier Safety Administration may immediately operate pursuant to the changes noted below.

#### List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

Issued this 22nd day of June, 2000 at Washington, DC.

**Rodney E. Slater,**

*Secretary of Transportation.*

For the reasons set forth in the preamble, the Department of Transportation amends 49 CFR Part 1 as follows:

#### PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

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

**Authority:** 49 U.S.C. 2104(a); Pub. L. 101–552; 28 U.S.C. 2672, 31 U.S.C. 3711 (a)(2), 46 U.S.C. 2104(a).

2. In § 1.50 add paragraph (n) to read as follows:

#### § 1.50 Delegation to the National Highway Traffic Safety Administrator.

\* \* \* \* \*

(n) Carry out, in coordination with the Federal Motor Carrier Safety Administrator, the authority vested in the Secretary by subchapter III of chapter 311 and section 31502 of title 49, U.S.C., to promulgate safety standards for commercial motor vehicles and equipment subsequent to

initial manufacture when the standards are based upon and similar to a Federal Motor Vehicle Safety Standard promulgated, either simultaneously or previously, under chapter 301 of title 49, U.S.C.

#### § 1.73 [Amended]

3. Amend § 1.73 as follows:

a. Amend paragraph (g) by removing the word “for” the first time it is used and adding the word “that” in its place, and by adding before the period “is limited to standards that are not based upon and similar to a Federal Motor Vehicle Safety Standard promulgated under chapter 301 of title 49, U.S.C.”

b. Amend paragraph (l) by removing the word “for” the first time it is used and adding the word “that” in its place, and by adding before the period “is limited to standards that are not based upon and similar to a Federal Motor Vehicle Safety Standard promulgated under chapter 301 of title 49, U.S.C.”

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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 000503121–0189–02; I.D. 030600A]

RIN 0648–AN07

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Catch Specifications

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

**ACTION:** Final rule.

**SUMMARY:** In accordance with the framework procedure for adjusting management measures (framework procedure) of the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP), NMFS issues this final rule to: Increase the annual total allowable catch (TAC) and increase the commercial trip limit off the southeast coast of Florida for Atlantic group king mackerel; and increase the TAC, modify the commercial trip limits applicable off Florida, and increase the recreational bag limit for Atlantic group Spanish mackerel. The intended effects of this rule are to maintain healthy stocks of

king and Spanish mackerel while still allowing catches by important commercial and recreational fisheries.

**DATES:** This final rule is effective August 2, 2000.

**FOR FURTHER INFORMATION CONTACT:** Dr. Steve Branstetter; telephone: 727–570–5305; fax: 727–570–5583; e-mail: Steve.Branstetter@noaa.gov.

**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 and implemented by NMFS through regulations at 50 CFR part 622. In accordance with the framework procedure, the South Atlantic Fishery Management Council (Council) recommended, and NMFS published, a proposed rule (65 FR 31132, May 16, 2000) to: Increase the annual TAC and increase the commercial trip limit off the southeast coast of Florida for Atlantic group king mackerel; and increase the TAC, modify the commercial trip limits applicable off Florida, and increase the recreational bag limit for Atlantic group Spanish mackerel. The proposed rule described the need and rationale for these measures, which are not repeated here.

#### Comments and Responses

One public comment on the proposed rule was received from the Council.

**Comment:** The Council reiterated its support for a TAC of 7.04 million lb (3.19 million kg) for Atlantic group Spanish mackerel; noted that the regulations would relieve restrictions, consistent with conserving the resource, and would benefit fishers who had experienced necessary restrictions in the past; and urged timely implementation of the regulations.

**Response:** NMFS agrees that the Council's proposed actions are appropriate, has approved them, and is implementing them by this final rule.

#### Change from the Proposed Rule

The proposed rule inadvertently did not include the revision of the adjusted quota for Atlantic group Spanish mackerel that results automatically from the increase in TAC. This final rule incorporates the appropriate revision in § 622.44(b)(2).

#### Classification

This final rule has been determined to be not significant for purposes of E.O. 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration when

this rule was proposed that it would not have a significant economic impact on a substantial number of small entities. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not prepared.

The President has directed Federal agencies to use plain language in their communications with the public, including regulations. To comply with this directive, we seek public comment on any ambiguity or unnecessary complexity arising from the language used in this final rule. Comments should be sent to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

#### List of Subjects in 50 CFR Part 622

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

Dated: June 27, 2000.

**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 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 § 622.39, paragraph (c)(1)(iii) is revised to read as follows:

##### § 622.39 Bag and possession limits.

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(iii) Atlantic migratory group Spanish mackerel—15.

\* \* \* \* \*

3. In § 622.42, paragraphs (c)(1)(ii) and (c)(2)(ii) are revised to read as follows:

##### § 622.42 Quotas.

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(ii) *Atlantic migratory group.* The quota for the Atlantic migratory group of king mackerel is 3.71 million lb (1.68 million kg). No more than 0.40 million lb (0.18 million kg) may be harvested by purse seines.

\* \* \* \* \*

(2) \* \* \*

(ii) *Atlantic migratory group.* The quota for the Atlantic migratory group of

Spanish mackerel is 3.87 million lb (1.76 million kg).

\* \* \* \* \*

4. In § 622.44, paragraph (a)(1)(iii), paragraphs (b)(1)(ii)(A) and (B), and the first sentence of paragraph (b)(2) are revised to read as follows:

##### § 622.44 Commercial trip limits.

\* \* \* \* \*

(a) \* \* \*

(1) \* \* \*

(iii) In the area between 28°47.8' N. lat. and 25°20.47' N. lat., which is a line directly east from the Miami-Dade/Monroe County, FL, boundary, king mackerel in or from the EEZ may not be possessed on board or landed from a vessel in a day in amounts exceeding 75 fish from April 1 through October 31.

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(ii) \* \* \*

(A) From April 1 through November 30, in amounts exceeding 3,500 lb (1,588 kg).

(B) From December 1 until 75 percent of the adjusted quota is taken, in amounts as follows:

(1) Mondays through Fridays—unlimited.

(2) Saturdays and Sundays—not exceeding 1,500 lb (680 kg).

\* \* \* \* \*

(2) For the purpose of paragraph (b)(1)(ii) of this section, the adjusted quota is 3.62 million lb (1.64 million kg).

\* \* \* \* \*

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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 000229053-0190-02; I.D. 120699A]

RIN 0648-AK96

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 17

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement Amendment 17 to the Fishery Management Plan for the Reef

Fish Resources of the Gulf of Mexico (FMP). Amendment 17 and this final rule extend the current commercial reef fish vessel permit moratorium, which is effective through December 31, 2000, for 5 years through December 31, 2005. The purpose of the moratorium is to provide a stable environment in the fishery necessary for evaluation and development of a more comprehensive controlled access system for the entire commercial reef fish fishery.

**DATES:** This rule is effective August 2, 2000.

**FOR FURTHER INFORMATION CONTACT:** Michael Barnette, 727-570-5305; fax: 727-570-5583; e-mail: Michael.Barnette@noaa.gov.

**SUPPLEMENTARY INFORMATION:** The reef fish fishery is managed under the FMP as prepared by the Gulf of Mexico Fishery Management Council (Council) and approved and implemented by NMFS, under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), by regulations at 50 CFR part 622.

On December 17, 1999, NMFS announced the availability of Amendment 17 and requested comments on the amendment (64 FR 70678). NMFS approved Amendment 17 on March 16, 2000, and published a proposed rule to implement the 5-year extension of the current commercial reef fish vessel permit moratorium, which would otherwise expire on January 1, 2001, in Amendment 17 and requested comments on it (65 FR 14518, March 17, 2000). The background and rationale for the measure in the amendment and proposed rule are contained in the preamble to the proposed rule and are not repeated here.

#### Comments and Responses

One comment from the Department of the Interior (DOI) was received on Amendment 17. The DOI requested an extension of the comment period due to the inability to respond with comments in the allotted time. However, the 60-day comment period for the amendment is set by section 304 of the Magnuson-Stevens Act and cannot be extended.

No comments were received on the proposed rule.

#### Classification

The Administrator, Southeast Region, NMFS, determined that Amendment 17 is necessary for the conservation and management of the reef fish fishery and that it is consistent with the Magnuson-Stevens Act and other applicable laws.