

the Federal Railroad Administration during normal business hours. The records may be kept on the hi-rail vehicle or at a location designated by the employer.

(c) A new hi-rail vehicle will be equipped with:

(1) An automatic change-of-direction alarm or backup alarm that provides an audible signal at least three seconds long and distinguishable from the surrounding noise; and

(2) An operable 360-degree intermittent warning light or beacon mounted on the outside of the vehicle.

(d) Prior to starting work each day, the operator of a new hi-rail vehicle will check the hi-rail vehicle for compliance with this subpart.

(e) Non-complying conditions that cannot be repaired immediately will be tagged and dated in a manner prescribed by the employer and reported to the designated official.

(f) Non-complying automatic change-of-direction alarms, backup alarms, or 360-degree intermittent warning lights or beacons will be repaired or replaced as soon as practical within seven days.

**§ 214.525 Towing with on-track roadway maintenance machines or hi-rail vehicles.**

(a) When used to tow pushcars or other maintenance-of-way equipment, each on-track roadway maintenance machine or hi-rail vehicle will be equipped with a towing bar or other coupling device that provides a safe and secure attachment.

(b) An on-track roadway maintenance machine or hi-rail vehicle will not be used to tow pushcars or other maintenance-of-way equipment if the towing would cause the machine or hi-rail vehicle to exceed the capabilities of its braking system. In judging the limit of the braking system, the employer will consider the track grade (slope), as well as the number and weight of pushcars or other equipment being towed.

**§ 214.527 Inspection for compliance; schedule for repairs.**

(a) Prior to starting work each day, the operator of the on-track roadway maintenance machine will check the machine components for compliance with this subpart.

(b) Non-complying conditions that cannot be repaired immediately will be tagged and dated in a manner prescribed by the employer and reported to the designated official.

(c) The operation of an on-track roadway maintenance machine with noted non-complying conditions will be governed by the following requirements:

(1) An on-track roadway maintenance machine with headlights or work lights

that are not in compliance may be operated from ½ hour before sunrise to ½ hour after sunset for seven calendar days;

(2) Portable horns may be substituted for non-complying or missing horns for a period not to exceed seven calendar days;

(3) Fire extinguishers readily available for use may temporarily replace missing, defective or discharged fire extinguishers on new on-track roadway maintenance machines for a period not to exceed seven calendar days pending the permanent replacement or repair of the missing, defective or used fire extinguisher;

(4) Non-complying automatic change-of-direction alarms, backup alarms, or 360-degree intermittent warning lights or beacons will be repaired or replaced as soon as practical within seven calendar days; and

(5) A structurally defective or missing operator seat will be replaced or repaired within 24 hours or by the start of the machine's next tour of duty, whichever is later. The machine may be operated for the remainder of the operator's tour of duty if the defective or missing operator seat does not prevent its safe operation.

**§ 214.529 In-service failure of primary braking system.**

(a) In the event of a total in-service failure of its primary braking system, an on-track roadway maintenance machine may be operated for the remainder of the tour of duty with the use of a secondary braking system or by coupling to another machine, if such operations may be done safely.

(b) If the total in-service failure of an on-track roadway maintenance machine's primary braking system occurs where other equipment is not available for coupling, the machine may, if it is safe to do so, travel to a clearance or repair point where it shall be placed out of service until repaired.

**§ 214.531 Schedule of repairs.**

Except as provided in §§ 214.527(c)(5), 214.529, and 214.533, an on-track roadway maintenance machine or new hi-rail vehicle that does not meet all the requirements of this subpart will be repaired as soon as practical within seven calendar days. If repairs are not made within seven calendar days, the on-track roadway maintenance machine or new hi-rail vehicle will be placed out of service.

**§ 214.533 Schedule of repairs; subject to availability of parts.**

(a) The employer will order parts necessary to repair a non-complying

condition on an on-track roadway maintenance machine or a new hi-rail vehicle by the end of the next business day following the report of the defect.

(b) When the employer cannot repair a non-complying condition as required by § 214.531 because of the temporary unavailability of necessary parts, the employer will repair the on-track roadway maintenance machine or new hi-rail vehicle within seven days after receiving the necessary parts. The employer may continue to use the on-track roadway maintenance machine or new hi-rail with a non-complying condition until the necessary parts for repair are received, subject to the requirements of § 214.503. However, if repair of a non-complying condition exceeds 30 days following the report of the defect, the employer will remove the on-track roadway maintenance machine or new hi-rail vehicle from service.

(c) If the employer fails to order parts necessary to repair the reported non-complying condition, or if it fails to install available parts within the required seven calendar days, the on-track roadway maintenance machine or new hi-rail vehicle will be removed from service until brought into compliance with this subpart.

(d) Each employer will maintain records pertaining to compliance with this section. Records may be kept on forms provided by the employer or by electronic means. The employer will retain each record for at least one year, and the records will be available for inspection and copying by the Federal Railroad Administration during normal business hours. The records may be kept on the on-track roadway maintenance machine or new hi-rail vehicle or at a location designated by the employer.

Issued in Washington, DC, on January 4, 2001.

**John V. Wells,**

*Acting Federal Railroad Administrator.*

[FR Doc. 01-591 Filed 1-9-01; 8:45 am]

BILLING CODE 4910-06-P

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[I.D. 122800A]

**Coral Reef Ecosystem Fisheries of the Western Pacific Region; Public Hearings**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public hearings.

**SUMMARY:** On June 16, 1999, NMFS announced its intent to prepare an Environmental Impact Statement (EIS) for the draft fishery management plan for coral reef ecosystems in the U.S. exclusive economic zone (EEZ) waters of the Western Pacific Region. The Draft Environmental Impact Statement (DEIS) has been prepared and is available to the public. The scope of the DEIS includes all activities related to the conduct of the fishery to be authorized by and managed under the proposed Fishery Management Plan (FMP) for Coral Reef Ecosystems of the Western Pacific Region. NMFS is holding public hearings to solicit public input on the range of actions, alternatives, and impacts addressed in the DEIS. In addition to holding the public hearings, NMFS is also accepting written comments on the DEIS.

**DATES:** Written comments will be accepted through February 26, 2001. See **SUPPLEMENTARY INFORMATION** for specific dates, times, and locations for these hearings.

**ADDRESSES:** Written comments and requests to be included on a mailing list of persons interested in the DEIS/EIS should be sent to Kitty Simonds, Western Pacific Fishery Management Council, NMFS, 1164 Bishop Street, Room 1400, Honolulu, HI 96813. Comments also may be faxed to 808-522-8226. Comments will not be

accepted if submitted via e-mail or the Internet. Public hearings will be held in Hawaii, Guam, American Samoa (AS), and the Commonwealth of the Northern Mariana Islands (CNMI). For specific meeting locations, see **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:**

Kitty Simonds 808-522-8220.

**SUPPLEMENTARY INFORMATION:** On June 16, 1999 (64 FR 32210), NMFS announced its intent to prepare an EIS for the draft fishery management plan for coral reef ecosystems in U.S. EEZ waters of the Western Pacific Region. NMFS has prepared the DEIS and made it available to the public.

**Dates, Times, and Locations for Public Hearings**

1. Agana (Hagatna), Guam: January 16, 2001, 8 to 10 p.m., Guam Fishermen's Cooperative Association, Hagatna Boat Basin, Agana (Hagatna), Guam.

2. Susupe Village, Saipan, CNMI: January 17, 2001, 8 to 10 p.m., Saipan Diamond Hotel, Hibiscus Room. No street address, Susupe Village, P.O. Box 66, CNMI.

3. Kahului, Maui, HI: January 19, 2001, 6 to 9 p.m., Lehi Kai Elementary School, 335 S. Papa Avenue, Kahului, HI 96732; contact Kitty Simonds (see **ADDRESSES**) for further information.

4. Kaunakakai, Molokai, HI: January 22, 2001, 8 to 10 p.m., Mitchell Pauole Center, 90 Ainoa St., Kaunakakai, HI 96748.

5. Kona, Hawaii, HI: January 23, 2001, 8 to 10 p.m., King Kamehameha Hotel, 75-5660 Palani Road, Kona, HI 96740.

6. Hilo, Hawaii, HI: January 24, 2001, 8 to 10 p.m., Cooperative Extension Services, College of Agriculture, Conference Room B, 875 Komohana Street, Hilo, HI 96720.

7. Lihue, Kauai, HI: January 25, 2001, 6 to 9 p.m., Wilcox Elementary School, 4319 Hardy Street, Lihue, HI 96766; contact Kitty Simonds (see **ADDRESSES**) for further information.

8. Lanai, HI: January 26, 2001, 8 to 10 p.m., Lanai Airport Conference Room, Lanai, HI 96763.

9. Honolulu, Oahu, HI: January 29, 2001, 6 to 9 p.m., McCoy Pavilion, Ala Moana Regional Park, Ala Moana Boulevard, Honolulu, HI 96814; contact Kitty Simonds (see **ADDRESSES**) for further information.

10. Fagatogo, AS: February 5, 2001, 3 to 5 p.m., Department of Marine and Wildlife Resources (DMWR) conference room, Fagatogo, AS. Phone contact c/o DMWR at 684-633-4456.

**Special Accommodations**

Requests for sign language interpretation or other auxiliary aids should be directed to Kitty Simonds (see **ADDRESSES**), 808-522-8220 (voice) or 808-522-8226 (facsimile), at least 5 days prior to the meeting date.

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

Dated: January 3, 2001.

**Bruce C. Morehead,**

*Acting Director, Office Of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 01-774 Filed 1-9-01; 8:45 am]

**BILLING CODE 3510-22-S**