

together in one standard. It does not affect any costs associated with the manufacture or sale of vehicles. Accordingly, a final regulatory flexibility analysis has not been prepared.

#### *National Environmental Policy Act*

NHTSA has also analyzed this final rule under the National Environmental Policy Act and determined that it will not have any significant impact on the quality of the human environment.

#### *Executive Order 12612 (Federalism)*

NHTSA has analyzed this final rule in accordance with the principles and criteria contained in E.O. 12612, and has determined that it will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

#### *Civil Justice Reform*

This final rule has no retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a state may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the state requirement imposes a higher level of performance and applies only to vehicles procured for the state's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

#### List of Subjects in 49 CFR Part 571

Imports, Motor vehicles, Motor vehicle safety, Rubber and rubber products, Tires.

In consideration of the foregoing, NHTSA amends 49 CFR part 571 as follows:

#### **PART 571—[AMENDED]**

1. The authority citation for part 571 continues to read as follows:

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

2. Section 571.108 is amended by adding in S4, in alphabetical order, definitions of "Fully opened" and "Headlamp concealment device," and adding S12 and S12.1 through S12.5 after S11, to read as follows:

#### **§ 571.108 Standard No. 108; Lamps, reflective devices, and associated equipment.**

\* \* \* \* \*

##### **S4. Definitions.**

\* \* \* \* \*

*Fully opened* means the position of the headlamp concealment device in which the headlamp is in the design open operating position.

*Headlamp concealment device* means a device, with its operating system and components, that provides concealment of the headlamp when it is not in use, including a movable headlamp cover and a headlamp that displaces for concealment purposes.

\* \* \* \* \*

##### **S12. Headlamp Concealment Devices.**

S12.1 While the headlamp is illuminated, its fully opened headlamp concealment device shall remain fully opened should any loss of power to or within the headlamp concealment device occur.

S12.2 Whenever any malfunction occurs in a component that controls or conducts power for the actuation of the concealment device, each closed headlamp concealment device shall be capable of being fully opened by a means not requiring the use of any tools. Thereafter, the headlamp concealment device must remain fully opened until intentionally closed.

S12.3 Except for malfunctions covered by S12.2, each headlamp concealment device shall be capable of being fully opened and the headlamps illuminated by actuation of a single switch, lever, or similar mechanism, including a mechanism that is automatically actuated by a change in ambient light conditions.

S12.4 Each headlamp concealment device shall be installed so that the headlamp may be mounted, aimed, and adjusted without removing any component of the device, other than components of the headlamp assembly.

S12.5 Except for cases of malfunction covered by S12.2, each headlamp concealment device shall, within an ambient temperature range of -20° F. to +120° F., be capable of being fully opened in not more than 3 seconds after the actuation of a driver-operated control.

\* \* \* \* \*

#### **§ 571.108 [Amended]**

3. In § 571.108, a new heading is added following S12.5 and preceding the figures and tables, to read "Figures and Tables to § 571.108".

4. In § 571.108, Figures 1a, 1b and 1c which follow S5.1.1.6, and Figure 2 which follows S5.1.1.18, are moved to

appear in numerical order after the heading "Figures for § 571.108" and before Figure 4-1.

#### **§ 571.112 [Removed]**

5. Section 571.112 is removed in its entirety and reserved.

Issued on: September 11, 1996.

Ricardo Martinez,

Administrator.

[FR Doc. 96-23795 Filed 9-23-96; 8:45 am]

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## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

#### **50 CFR Part 14**

#### **RIN 1018-AB49**

#### **Importation, Exportation, and Transportation of Wildlife**

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

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to the final regulations which were published June 21, 1996, (61 FR 31850). The regulation related to Import Declaration Requirements contained at § 14.61 is corrected.

**EFFECTIVE DATE:** September 24, 1996.

**FOR FURTHER INFORMATION CONTACT:** Richard Marks, Special Agent in Charge, Branch of Investigations, Division of Law Enforcement, Fish and Wildlife Service, U.S. Department of the Interior, (703) 358-1949.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The final regulations that are the subject of these corrections supersede 50 CFR § 14.61 on the effective date and affect persons or businesses required to file the Declaration for Importation or Exportation of Fish or Wildlife (Declaration Form 3-177). The June 21, 1996 final rule incorrectly allowed importers or their agents to file either a Declaration Form 3-177 with the Service or an electronic Declaration Form 3-177 through the United States Customs Service Automated Commercial System (ACS). The Service's pilot program for allowing the filing of an electronic Declaration Form 3-177 through the Automatic Commercial System, Automated Broker Interface (ABI) began on October 29, 1990, in the Port of New York.

##### **Need for Correction**

The ACS system for filing electronic versions of Declaration Form 3-177 has

not been fully implemented at all of the thirteen designated ports authorized by the Service for the importation and exportation of wildlife and wildlife products. Because the system is not fully implemented, the Service will continue to require the filing of a Declaration Form 3-177 at the time Service clearance is requested and will not allow the filing of an electronic Declaration Form 3-177 by itself. This correction is being made to § 14.61 of the final regulations to provide clarification and to avoid unnecessary delay in clearance of wildlife shipments.

#### Correction of Publication

Accordingly, the publication on June 21, 1996, of the final regulations of 50 CFR parts 13 and 14 which were the subject of FR Doc. 96-15388, is corrected by revising § 14.61 starting on page 31870, column 1, line 16, to read as follows:

#### § 14.61 Import declaration requirements.

Except as otherwise provided by the regulations of this subpart, importers or their agents must file with the Service a completed Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177), signed by the importer or the importer's agent, upon the importation of any wildlife at the place where Service clearance under § 14.52 is requested. However, wildlife may be transshipped under bond to a different port for release from custody by Customs Service officers under 19 U.S.C. 1499. For certain antique articles as specified in § 14.22, importers or their agents must file a Form 3-177 with the District Director of Customs at the port of entry prior to release from Customs custody. Importers or their agents must furnish all applicable information requested on the Form 3-177 and the importer, or the importer's agent, must certify that the information furnished is true and complete to the best of his/her knowledge and belief.

Dated: September 26, 1996.

George T. Frampton, Jr.,

*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 96-24442 Filed 9-23-96; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 960531152-6254-02; I.D. 081596A]

RIN 0648-A118

#### Fisheries of the Exclusive Economic Zone Off Alaska; Technical Amendment; Correction and Clarification

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** NMFS is correcting several sections of regulations that contain minor errors as a result of NMFS' consolidation of all Alaska regulations into one CFR part in response to the President's Regulatory Reform Initiative. This final rule does not make substantive changes to the existing regulations; rather, it corrects changes to text that were inadvertently made through reorganization of management measures for use in the groundfish fisheries of the Gulf of Alaska (GOA) and the Bering Sea and Aleutian Islands management area (BSAI). NMFS is also correcting several errors in cross-references in the definitions section that occurred when NMFS issued the final rule to implement Amendment 1 to the Fishery Management Plan for Scallop off Alaska.

**EFFECTIVE DATE:** September 24, 1996.

**ADDRESSES:** Copies of this final rule for this action may be obtained from: Fisheries Management Division, Alaska Region, NMFS, 709 W. 9th Street, Room 453, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802, ATTN: Lori J. Gravel.

**FOR FURTHER INFORMATION CONTACT:** Patsy A. Bearden, NMFS, 907-586-7228.

#### SUPPLEMENTARY INFORMATION:

##### Background

NMFS manages the following fisheries in the exclusive economic zone (EEZ) off Alaska: Groundfish fisheries in the GOA EEZ under the Fishery Management Plan for Groundfish of the Gulf of Alaska; groundfish fisheries in the BSAI EEZ under the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area; commercial harvest of BSAI king and Tanner crabs under the

Fishery Management Plan for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands; and the commercial harvest of scallops under the Fishery Management Plan for the Scallop Fishery off Alaska. These fishery management plans (FMPs) are implemented by regulations at 50 CFR part 679. General regulations that also pertain to these fisheries appear in subpart H of 50 CFR part 600. The FMPs were prepared by the North Pacific Fishery Management Council under the authority of the Magnuson Fishery Conservation and Management Act.

As part of the President's Regulatory Reform Initiative, NMFS issued a final rule (61 FR 31228, June 19, 1996) removing parts 671, 672, 673, 675, 676, and 677 of title 50 CFR, and consolidating the regulations contained therein into one new part (50 CFR part 679). No substantive changes were made to the regulations by the consolidation of the six parts. However, due to the complexity of the reorganization, some errors were introduced into the regulatory text. This rule corrects those errors. It makes no substantive changes.

On July 23, 1996, NMFS published a final rule (61 FR 38099) implementing Amendment 1 to the scallop FMP. Under the definition of "Authorized fishing gear," definitions of "Dive" and "Scallop dredge" were added and related paragraphs redesignated. However, the cross-references in the redesignated paragraphs were not revised to reflect the new numbering. This document corrects those errors.

This action: (1) Clarifies the recordkeeping requirements for catcher vessels under 60 ft (18.3 m) length overall by specifically exempting them from the requirement to comply with the recordkeeping and reporting requirements contained in § 679.5(a)-(k); (2) removes duplicative text regarding check-in/check-out reports; (3) corrects the time limit for check-out reports submitted by buying stations delivering to shoreside processors from 48 hours to 24 hours; (4) corrects the submittal instructions for Individual Fishing Quota (IFQ) shipment reports; (5) revises wording in general observer requirements for catcher/processors or catcher vessels to make grammatically consistent with related subordinate paragraphs; (6) corrects paragraph numbering in Research Plan observer coverage responsibilities for shoreside processors; and (7) corrects cross-references contained in the definition of "pelagic trawl" under "authorized fishing gear" in the definitions section.