

no data whatsoever to support its assertion that some drivers perceive a difficulty in utilizing their turn signal system's "lane-change" feature and, therefore, fail to signal their maneuver. Absent such data, NHTSA has no reason to believe that requiring an automatic turn signal would significantly increase their use.

Hawkhill's other claim is that its system would address situations when a driver inadvertently leaves the turn signal on after completing a driving maneuver that does not turn the wheel enough to trigger the current automatic shut-off feature required in S5.1.1.5 of FMVSS No. 108. Hawkhill's system is designed to address this situation. However, NHTSA believes this is a much less frequent occurrence than the failure to signal. We base this on anecdotal evidence and driving experience in the Washington, DC metropolitan area. In addition, manufacturers have taken voluntary steps to address this problem with the "lane-change" feature discussed previously. For example, General Motors has designed all its Skylarks with a turn signal reminder chime that gives the driver an added signal if the turn signal indicator is still on after one half mile of driving. See 61 FR 56734, November 4, 1996. Further, because the standard would not preclude the use of Hawkhill's proposed turn signal system, perhaps manufacturers will voluntarily place this feature in some of their vehicles as well.

Hawkhill provided no data to indicate the size of the safety problem that would be addressed by automatically turning off turn signals in situations not addressed by the current automatic shut-off requirement. Absent such data, NHTSA has no information indicating this is a large problem. Most vehicles do not now have computer-controlled turn signals, nor does the agency have any information indicating that a significant number of vehicles will be equipped with them in the near future. If we assume for the sake of discussion that as many as half of the 16 million light vehicles produced each year will be equipped with computer-controlled turn signals in the near future, that would still leave eight million vehicles that would need to be redesigned. At a cost of \$10 per vehicle to redesign the turn signal circuit, that would translate into an annual cost of \$80 million. NHTSA would not consider imposing costs of this magnitude without some clear and convincing evidence that it would produce safety benefits commensurate with this cost. In this case, there are no data or other information suggesting the

safety benefits would be anything more than marginal.

In accordance with 49 CFR part 552, this completes the agency's review of the petition. The agency has concluded that there is no reasonable possibility that the amendment requested by the petitioner would be issued at the conclusion of a rulemaking proceeding. Accordingly, it denies Hawkhill's petition.

Authority: 49 U.S.C. 30103, 30162; delegation of authority at 49 CFR 1.50 and 501.8.

Issued on: March 31, 1997.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 285, 630, 644, and 678

[I.D. 030497E]

Establishment of Highly Migratory Species Advisory Panels; Combination of Fishery Management Plans

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

ACTION: Proposed process; request for comments.

SUMMARY: NMFS solicits comments on the feasibility of developing Fishery Management Plans (FMPs) for Atlantic shark, swordfish, and tunas. If NMFS were to develop one FMP, it would establish one Highly Migratory Species (HMS) Advisory Panel (AP) for those species to assist NMFS in the collection and evaluation of information relevant to the preparation of the consolidated HMS management plan for those species. A combined HMS FMP and AP would reduce the burden on the AP members, in addition to being consistent with existing laws such as the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the National Environmental Policy Act (NEPA), and other holistic, ecosystem approaches to fishery management. The HMS AP would include representatives from all interests in Atlantic HMS fisheries.

DATES: Comments must be submitted on or before May 15, 1997.

ADDRESSES: Comments should be submitted to Rebecca Lent, Chief,

Highly Migratory Species Management Division, NMFS, 1315 East-West Highway, Silver Spring, MD, 20910. Comments may be submitted by fax: 301-713-1917.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301-713-2347.

SUPPLEMENTARY INFORMATION:

Background

In accordance with the Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.*, as amended by the Sustainable Fisheries Act (Public Law 104-297) FMPs shall be prepared with respect to any HMS fishery. APs must be established to consult with NMFS in the collection and evaluation of information relevant to the preparation or amendment of HMS FMPs. Nominations have already been solicited for a billfish AP and a pelagic longline AP. Prior to requesting nominations for AP members regarding tunas, sharks or swordfish, NMFS solicits comments on options for developing FMPs for Atlantic tunas, shark, and swordfish. Separate FMPs already exist for billfish, sharks, and swordfish. No FMP exists for Atlantic tunas.

Due to the overlap of biological characteristics and management issues concerning Atlantic tunas, sharks, and swordfish, NMFS believes there may be benefit to combining some or all of the FMPs to reduce time and financial resources and to produce a cohesive plan for multispecies fishery management. Likewise, participants and interested parties overlap in these HMS fisheries, and NMFS believes there may be benefit to combining some or all of the APs to reduce time and financial resources needed for participation in the APs as well as the administration of the APs. A combined Atlantic tunas, swordfish, and shark FMP could also be less burdensome to the constituency in that many issues are common to the three species groups.

The purpose of the combined HMS AP would be to assist NMFS in the development of this FMP. The first action would be the development of new requirements (i.e., bycatch, overfishing) of the Magnuson-Stevens Act.

In addition, a combined HMS FMP for these species would be consistent with the Magnuson-Stevens Act, NEPA, regulatory reform (consolidated HMS regulations), and other holistic ecosystem approaches to fishery management. HMS fisheries and HMS stocks are interdependent. Boundaries overlap between fisheries, gears, and geographical locations and an ecosystem approach to management would be useful and efficient.

An alternative approach could include developing a separate Atlantic tunas FMP and combining the existing shark and swordfish FMPs into one. However, similarities among these fisheries and the participation of many fishermen in all three fisheries make this option less preferable.

A final option would include developing a separate Atlantic tunas FMP and keeping the existing shark and swordfish FMPs separate. This option appears to be the least desirable as evidenced by recent public comments

concerning proposed amendments to these two FMPs.

NMFS is also soliciting comments on the appropriate role of existing advisory groups and or processes (Shark Operations Team, Negotiated Rulemaking for Atlantic tunas) in light of the establishment of HMS APs, whether or not they are combined.

Once NMFS has collected comments regarding the appropriate combination and/or separation of the tuna, shark, and swordfish FMPs, and thus of the APs, NMFS will issue a separate **Federal**

Register document calling for nominations for members of the AP(s).

Tentative Schedule

NMFS intends to establish all APs (combined or separate APs for Shark, Swordfish, and Tunas) by July 1, 1997.

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

Dated: March 31, 1997.

Gary C. Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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