

### 5. Environmental Impacts

In accordance with the National Environmental Policy Act, NHTSA has considered the environmental impacts of this proposed rule and determined that it would not have a significant impact on the quality of the human environment.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies of the comments be submitted. All comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. (49 CFR part 512).

All comments received before the close of business on the comment closing date indicated above for the proposal will be considered, and will be available for examination in the docket at the above address both before and after the date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the final rule will be considered as suggestions for further rulemaking action. Comments on the proposal will be available for inspection in the docket. NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

#### List of Subjects in 49 CFR Part 544

Crime insurance, insurance, insurance companies, motor vehicles, reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR part 544 is proposed to be amended as follows:

#### PART 544—[AMENDED]

1. The authority citation for part 544 would be revised to read as follows:

Authority: 49 U.S.C. 33112; delegation of authority at 49 CFR 1.50.

#### § 544.2 [Amended]

2. Section 544.2 *Purpose.* would be revised to read as follows:

The purpose of these reporting requirements is to aid in implementing and evaluating the provisions of 49 U.S.C. chapter 331 *Theft Prevention* to prevent or discourage the theft of motor vehicles, to prevent or discourage the sale or distribution in interstate commerce of used parts removed from stolen motor vehicles, and to help reduce the cost to consumers of comprehensive insurance coverage for motor vehicles.

#### § 544.4 [Amended]

3. Paragraph (a) of § 544.4 *Definitions* would be revised to read as follows:

(a) *Statutory terms.* All terms defined in 49 U.S.C. 32101 and 33112 are used in accordance with their statutory meanings unless otherwise defined in paragraph (b) of this section.

\* \* \* \* \*

#### § 544.5 [Amended]

4. Paragraph (a) of § 544.5 would be revised to read as follows:

(a) Each insurer to which this part applies shall submit a report annually not later than October 25, beginning on October 25, 1986. The report shall contain the information required by § 544.6 of this part for the calendar year three years previous to the year in which the report is filed (e.g., the report due by October 25, 1995 shall contain the required information for the 1992 calendar year).

5. Appendix A to part 544 would be revised to read as follows:

Appendix A—Insurers of Motor Vehicle Insurance Policies Subject to the Reporting Requirements in Each State in Which They Do Business

Aetna Life & Casualty Group  
Allstate Insurance Group  
American Family Group  
American International Group  
California State Auto Association  
CNA Insurance Companies  
Farmers Insurance Group  
Geico Corporation Group  
General ACC Group\*  
Hanover Insurance Companies\*

\*Indicates a newly listed insurer which must file a report beginning with the report due October 25, 1995.

ITT Hartford Insurance Group  
Liberty Mutual Group  
Nationwide Group  
Progressive Group  
Prudential of America Group  
Safeco Insurance Companies\*  
State Farm Group  
Travelers Insurance Group  
USAA Group

6. Appendix B to part 544 would be revised to read as follows:

Appendix B—Issuers of Motor Vehicle Insurance Policies Subject to the Reporting Requirements Only in Designated States  
Alfa Insurance Group (Alabama)  
Amica Mutual Insurance Company (Rhode Island)  
Arbella Mutual Insurance (Massachusetts)  
Auto Club of Michigan Group (Michigan)  
Commerce Group, Inc. (Massachusetts)  
Commercial Union Insurance Companies (Maine)  
Concord Group Insurance Companies (Vermont)  
Erie Insurance Group (Pennsylvania)  
Kansas Farm Bureau Group (Kansas)\*  
Kentucky Farm Bureau Group (Kentucky)  
Southern Farm Bureau Casualty Group (Arkansas, Mississippi)  
Tennessee Farmers Companies (Tennessee)

7. Appendix C to part 544 would be republished without charge to read as follows:

Appendix C—Motor Vehicle Rental and Leasing Companies (Including Licensees and Franchisees) Subject to the Reporting Requirements of Part 544

Alamo Rent-A-Car, Inc.  
American International Rent-A-Car Corp./ ANSA  
Avis, Inc.  
Budget Rent-A-Car Corporation  
Dollar Rent-A-Car Systems, Inc.  
Hertz Rent-A-Car Division (subsidiary of Hertz Corporation)  
National Car Rental System, Inc.  
Penske Truck Leasing Company  
Ryder System, Inc. (both rental and leasing operations)  
U-Haul International, Inc. (subsidiary of AMERCO)

Issued on: January 13, 1995.

Barry Felrice,

*Associate Administrator for Rulemaking.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Chapter VI

[I.D. 011295A]

#### Atlantic Coast Weakfish; Intent to Prepare an EIS

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

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of intent to prepare an environmental impact statement (EIS) and request for written comments.

**SUMMARY:** NMFS announces its intent to prepare an EIS to assess the impact of Atlantic Coast weakfish harvests and proposed regulations on the natural and human environment. This notice of intent requests public input (written comments) on issues that NMFS should consider in preparing the EIS. Public hearings for the EIS will be scheduled at a later date. The EIS will evaluate the effects on the recovery of weakfish, as well as the effects on harvest of proposed regulations. In addition, this notice provides information on recent stock assessments for the Atlantic Coast weakfish and announces that NMFS is considering measures for the 1995 fishing year and beyond for the Atlantic Coast weakfish fishery in the exclusive economic zone (EEZ).

**DATES:** Written comments on the intent to prepare the EIS will be accepted until February 1, 1995. Public hearings will be announced in the Federal Register at a later date.

**ADDRESSES:** Comments should be sent to: Richard H. Schaefer, Director, Office of Fisheries Conservation and Management (F/CM), National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** William T. Hogarth, telephone (301) 713-2347.

**SUPPLEMENTARY INFORMATION:**

Section 804(b) of the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA) enacted in December 1993, (Public Law 103-206) states that, in the absence of an approved and implemented fishery management plan (FMP) under the Magnuson Fishery Conservation and Management Act (Magnuson Act), 16 U.S.C. 1801 *et seq.*, and after consultation with the appropriate Fishery Management Council(s) (Council), the Secretary of Commerce (Secretary) may implement regulations to govern fishing in the EEZ that are:

1. Necessary to support the effective implementation of an Atlantic States Marine Fisheries Commission (Commission) coastal fishery management plan (CFMP); and

2. Consistent with the national standards set forth in section 301 of the Magnuson Act (16 U.S.C. 1851).

These regulations may include measures recommended by the Commission to the Secretary that are necessary to support the provisions of a CFMP. Regulations issued by the Secretary to implement an approved FMP prepared by the appropriate Council(s) or the Secretary under the Magnuson Act shall supersede any conflicting regulations issued by the Secretary under section 804(b) of ACFCMA.

The provisions of sections 307 through 311 of the Magnuson Act (16 U.S.C. 1857 through 1861) regarding prohibited acts, civil penalties, criminal offenses, civil forfeitures, and enforcement shall apply with respect to regulations issued under section 804(b) of ACFCMA as if such regulations were issued under the Magnuson Act.

Management responsibility for weakfish resides primarily with the coastal states through the Commission's CFMP for weakfish (Plan). This Plan was adopted in 1985 by the coastal states from Maine through Florida in response to severe declines in the weakfish catches and populations along the coast. Increasingly strict state regulations have been imposed by amendments to the Plan since 1985 to restrict further the harvest of weakfish by recreational and commercial fisheries and to allow rebuilding of the stocks.

However, even with these restrictions, the weakfish population is not showing signs of recovery. In fact, the 1993 stock assessment suggests the beginning of recruitment failure; the fishing mortality rate (F) for the population is 1.3, i.e., 79 percent of the population is harvested each year; only 2 percent of the population achieves spawning age; and fishing is conducted primarily on 0- and 1-year-old fish. Moreover, overall landings (recreational and commercial) have declined from over 80 million

pounds (36 million kg) in 1980 to 7.8 million pounds (3.5 million kg) in 1993; the recreational catch has declined from 54 percent of the total landings in 1980 to 12 percent in 1993; and the commercial fishing effort has shifted, with 55 and 52 percent of the total commercial landings in 1992 and 1993, respectively, being taken in the EEZ compared with a low of 14 percent in 1973 and an average of 36 percent for the years 1972-93. These data clearly indicate that the weakfish stock is overfished and beginning to suffer recruitment failure. Harvest restrictions are definitely needed if weakfish are to recover.

Based on the recent stock assessments, NMFS will consider measures to regulate the Atlantic Coast weakfish fishery in the EEZ for the 1995 fishing year and beyond, including: (1) A prohibition on the taking or possession of weakfish in the EEZ; (2) applying state regulations to the EEZ; (3) imposition of specific Federal regulations on weakfish fishing in the EEZ; and (4) status quo or no action taken.

The Mid-Atlantic Council's workload will not permit it to undertake a Plan at this time. NMFS has determined that regulations in the EEZ must be implemented to support the CFMP for weakfish if there is to be a cooperative state and Federal effort to rebuild the weakfish stock.

NMFS has determined that the preparation of an EIS is appropriate, because of the potentially significant impact of EEZ regulations on the human environment and because no EIS currently exists. Participants in this fishery will be affected and may face more limited access to the weakfish resource, while the natural stocks of weakfish are allowed to recover.

Dated: January 12, 1995.

Richard H. Schaefer,  
*Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

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