

chassis-cab manufacturer, rather than itself certifying equipment or components manufactured by another manufacturer. Currently, manufacturers of incomplete vehicles that are not chassis cabs because they lack completed occupant compartments (e.g., "stripped chassis" or "bare chassis") are not required to certify the conformity of their vehicles to NHTSA safety standards. However, like the chassis-cab manufacturers, they are required to provide a guidance document with every vehicle that establishes guidelines for completing the vehicle. If the intermediate and/or final stage manufacturer follows the guidelines, the completed vehicle will conform to the applicable FMVSSs. The final stage manufacturer is required to place on the completed vehicle a certification label stating that the vehicle meets all applicable FMVSSs.

The NPRM proposing the amendments to the regulations governing certification of vehicles manufactured in two or more stages engendered considerable controversy and virtually no support. In the comments, there was a clear division in positions among the various segments of the multistage vehicle industry. The three major domestic manufacturers generally opposed the rule, although General Motors did propose some changes to the text and a delay of the effective date. The final stage manufacturers of commercial vehicles, represented by the National Truck Equipment Association (NTEA), favored the portion of the rule which provided for certification of incomplete vehicles other than chassis cabs, but stated that the proposed rule did not resolve the difficulties faced by numerous final stage manufacturers that depart from the guidelines set by the incomplete vehicle manufacturer. The Recreational Vehicle Industry Association (RVIA) responded that the proposed rule did not resolve the most serious problems faced by the final stage manufacturers which must certify compliance with standards that include dynamic testing.

The agency performed a limited study of the multistage vehicle manufacturing industry. The study was completed in August 1994 and has been placed in the docket. (Docket Number 91-62) The study concluded that final stage manufacturers lack timely information and guidance on how to comply when new standards or amendments are promulgated; that they rely primarily on customer needs and preferences in selecting incomplete vehicles, with particular emphasis on cost; and that they depend heavily on timely guidance and information from incomplete

vehicle manufacturers and trade associations.

The study also concluded that most final stage manufacturers, with the exception of some very large van converters, must rely on outside engineering services if they are to conduct dynamic testing of completed vehicles. All rely heavily on their suppliers for certification and warranty. The contractor noted the consensus among final stage manufacturers who are van converters with respect to the difficulties they faced in conducting dynamic testing for compliance with FMVSS No. 208 during the 1992 model year launch, when that portion of the Standard first took effect for light trucks, vans and sport utility vehicles. They cited problems in obtaining critical dimensional data on each vehicle make and model from the incomplete vehicle manufacturers sufficiently in advance to be able to create the necessary equipment to perform testing prior to the effective date of the rule, and stated that this forced production delays and lost sales. They contend that it is unrealistic for final stage manufacturers to be held to the same effective dates as those imposed on single stage manufacturers.

The agency believes that multistage vehicle certification is an area in which negotiated rulemaking may be beneficial. Negotiated rulemaking is a process in which representatives of all interests are assembled to discuss the issue and all potential solutions, reach consensus, and prepare a proposed rule for consideration by the agency. After public comment on any proposal issued by the agency, the group reconvenes to review the comments and make recommendations for a final rule. This inclusive process is intended to make the rule more acceptable to all affected interests and prevent the petitions for reconsideration (and litigation) that often follow the issuance of a final rule. The agency is interested in the commenters' views on the feasibility of negotiated rulemaking on the subject matter of this notice.

Procedural Matters

The agency intends to conduct the meeting informally so as to allow for maximum participation by all who attend. Interested persons may ask questions or provide comments during any period after a party has completed its presentation on a time allowed basis as determined by the presiding official. If time permits, persons who have not requested time to speak, but would like to make a statement, will be afforded an opportunity to do so.

Those speaking at the public meeting should limit their presentations to 20 minutes. If the presentation will include slides, motion pictures, or other visual aids, please indicate so that the proper equipment may be made available. Presenters should bring at least one copy of their presentation to the meeting so that NHTSA can readily include the material in the public record.

A schedule of participants making oral presentations will be available at the designated meeting room. NHTSA will place a copy of any written statement in the docket for this notice. A verbatim transcript of the meeting will be prepared and also placed in the NHTSA docket as soon as possible after the meeting.

Participation in the meeting is not a prerequisite for the submission of written comments. NHTSA invites written comments from all interested parties. It is requested but not required that 10 copies be submitted.

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, Room 5219, at the street address given above, and 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 will be considered. Comments will be available for inspection in the docket.

After the closing date, NHTSA will continue to file relevant information in the docket as it becomes available. It is therefore recommended that interested persons continue to examine the docket for new material.

Issued: November 14, 1995.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 95-28461 Filed 11-14-95; 10:54 am]

BILLING CODE 4910-59-M

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 655**

[I.D. 110995B]

Atlantic Mackerel, Squid, and Butterfish Fisheries; Notice of Availability of Amendment 5

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

ACTION: Notice of availability; request for comments.

SUMMARY: NMFS issues this notice that the Mid-Atlantic Fishery Management Council (Council) has submitted Amendment 5 to the Fishery Management Plan for Atlantic Mackerel, Squid, and Butterfish Fisheries (FMP) for Secretarial review and is requesting comments from the public. The amendment would revise the management program for Atlantic mackerel, squid, and butterfish. Copies of the amendment may be obtained from the Council (see **ADDRESSES**).

DATES: Comments must be received on or before January 8, 1996.

ADDRESSES: Send comments to Dr. Andrew Rosenberg, Regional Director, National Marine Fisheries Service,

Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930-3799. Mark the outside of the envelope "Comments on Atlantic Mackerel, Squid, and Butterfish Plan."

Copies of Amendment 5, the environmental impact statement, and the regulatory impact review are available from David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115 Federal Building, 300 S. New Street, Dover, DE 19904-6790.

FOR FURTHER INFORMATION CONTACT: Myles Raizin, Fishery Policy Analyst, 508-281-9104.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) (Magnuson Act) requires that each fishery management council submit any fishery management plan or plan amendment it prepares to the Secretary of Commerce (Secretary) for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that the Secretary, upon receiving the plan or amendment, immediately make a preliminary evaluation of whether the amendment is sufficient to warrant continued review, and publish a notice that the plan or amendment is available for public review and comment. The Secretary will consider the public comments in determining whether to approve the amendment.

Amendment 5 would eliminate joint ventures and directed foreign fishing for *Illex* and *Loligo* squid (squids) and butterfish; establish a moratorium on new entrants to the directed fisheries for the squids and butterfish; establish new permit requirements; establish a quota-setting process that includes recommendations made by a Technical Monitoring Committee; establish minimum mesh requirements for the *Loligo* fishery with exemptions for the sea herring fishery and the summer *Illex* fishery occurring outside the 50-fathom curve; require mandatory reporting for permitted vessels and dealers; revise certain biological reference points for Atlantic mackerel and *Loligo* squid; and specify conditions under which annual seasonal quotas may be established for the *Loligo* fishery.

The receipt date for this amendment was November 8, 1995. Proposed regulations to implement this amendment are scheduled to be published within 15 days of the receipt date.

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

Dated: November 13, 1995.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-28360 Filed 11-13-95; 4:39 pm]

BILLING CODE 3510-22-F