

*EA-based or EA license.* A license authorizing the right to use a specified block of SMR or LMS spectrum within one of the 175 Economic Areas (EAs) as defined by the Department of Commerce Bureau of Economic Analysis. The EA Listings and the EA Map are available for public inspection at the Wireless Telecommunications Bureau's public reference room, Room 5608, 2025 M Street, NW, Washington, DC 20554 and Office of Operations—Gettysburg, 1270 Fairfield Road, Gettysburg, PA 17325.

4. Section 90.155 is amended by revising paragraph (d) to read as follows:

**§ 90.155 Time in which station must be placed in operation.**

(d) Multilateration LMS systems authorized in accordance with Section 90.353 must be constructed and placed in operation within twelve (12) months from the date of grant or the authorization cancels automatically and must be returned to the Commission. EA-licensed multilateration LMS systems will be considered constructed and placed in operation if such systems construct a sufficient number of base stations that utilize multilateration technology (see paragraph (e) of this section) to provide multilateration location service to at least 1/3 of the counties in the EA.

5. Section 90.210 is amended by revising paragraph (k)(3) and adding paragraph (k)(6) to read as follows:

**§ 90.210 Emission masks.**

(k) *Other transmitters.* For all other transmitters authorized under Subpart M, the peak power of any emission shall be attenuated below the power of the highest emission contained within the licensee's LMS sub-band in accordance with the following schedule:

- (i) On any frequency within the authorized bandwidth: Zero dB;
- (ii) On any frequency outside the licensee's LMS sub-band edges: 55+10log(P) dB where (P) is the highest emission (watts) of the transmitter inside the licensee's LMS sub-band.

(6) The LMS sub-band edges for non-multilateration systems for which emissions must be attenuated are 902.00, 904.00, 909.5 and 921.75 MHz.

**§ 90.350 [Amended]**

6. Section 90.350 is amended by replacing the two occurrences of the phrase "Transportation Infrastructure

Radio Service" with "Intelligent Transportation Systems Radio Service."

7. Section 90.353 is amended by revising paragraphs (d), (e) and (f) and by adding paragraph (i) to read as follows:

**§ 90.353 LMS operations in the 902–928 MHz band.**

(d) Multilateration LMS systems will be authorized on a primary basis within the bands 904–909.75 MHz and 921.75–927.25 MHz. Additionally, multilateration and non-multilateration systems will share the 919.75–921.75 MHz band on a co-equal basis. Licensing will be on the basis of Economic Areas (EAs) for multilateration systems, with one exclusive EA license being issued for each of these three sub-bands. Except as provided in paragraph (f) of this section, multilateration EA licensees may be authorized to operate on only one of the three multilateration bands within a given EA. Additionally, EA multilateration LMS licenses will be conditioned upon the licensee's ability to demonstrate through actual field tests that their systems do not cause unacceptable levels of interference to 47 CFR part 15 devices.

(e) Multilateration EA-licensed systems and grandfathered AVM systems (see § 90.363) are authorized on a shared basis and must cooperate in the selection and use of frequencies in accordance with Section 90.173(b).

(f) Multilateration EA licensees may be authorized to operate on both the 919.75–921.75 MHz and 921.75–927.25 MHz bands within a given EA (see § 90.209(b)(10)).

(i) Non-multilateration LMS licenses will be issued on a site-by-site basis, except that municipalities or other governmental operatives may file jointly for a non-multilateration license covering a given U.S. Department of Commerce Bureau of Economic Analysis Economic Area (EA). Such an application must identify all planned sites. After receiving the license, the non-multilateration EA licensee must notify the Commission if sites are deleted or if new sites are added, before those sites may be put into operation.

8. Section 90.359 is revised to read as follows:

**§ 90.359 Field strength limits for EA-licensed LMS systems.**

EA-licensed multilateration systems shall limit the field strength of signals transmitted from their base stations to 47 dBuV/m at their EA boundary.

9. Section 90.361 is amended by revising the introductory text and paragraph (c)(2)(ii)(B) to read as follows:

**§ 90.361 Interference from part 15 and Amateur operations.**

Operations authorized under Parts 15 and 97 of this chapter may not cause harmful interference to LMS systems in the 902–928 MHz band. These operations will not be considered to be causing harmful interference to a multilateration LMS system operating in one of the three EA sub-bands (see § 90.357(a)) if they are non-video links operating in accordance with the provisions of Parts 15 or 97 of this chapter and at least one of the following conditions are met:

- (c) \* \* \*
- (2) \* \* \*
- (ii) \* \* \*
- (B) Is providing the final link for communications of entities eligible under subpart B or C of this Part, or is providing the final link for communications of health care providers that serve rural areas, elementary schools, secondary schools or libraries.

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 541**

[Docket No. 97–038; Notice 02]

RIN 2127–AG71

**Final Listing of High-Theft Lines for 1998 Model Year; Motor Vehicle Theft Prevention Standard**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects errors in the final listing of high-theft lines for the 1998 Model Year (MY), that was published on July 31, 1997 (62 FR 40949) by incorporating information that manufacturers brought to the agency's attention subsequent to the final listing. In the amended list in this document, one Honda line, the Civic, is removed from Appendix A; errors in the name of two Nissan lines, the Sentra /200SX and the Infiniti I30 are corrected; and an error in the vehicle class of one Subaru line, the Forester, is corrected.

**EFFECTIVE DATE:** The amendment made by this final rule is effective October 6, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Motor Vehicle Theft Group, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, S.W., Washington, D.C. 20590. Ms. Proctor's telephone number is (202) 366-0846. Her fax number is (202) 493-2739.

**SUPPLEMENTARY INFORMATION:** NHTSA is correcting errors in the final list of high-theft vehicle lines for Model Year (MY) 1998, that appeared in the **Federal Register** on July 31, 1997 (62 FR 40949). This correction document incorporates updated information brought to NHTSA's attention subsequent to the publication of the final list for MY 1998. The following are corrections to Appendix A of 49 CFR Part 541, the Theft Prevention Standard:

Comments were received from American Honda Motor Co., Inc., requesting that the "Honda Civic" line, which was erroneously listed in Appendix A, be deleted from the listing because it was also listed in Appendix B. The Honda Civic, a line subject to the requirements of this standard but whose theft rate fell below the 1990/91 median, will be deleted from Appendix A but will remain listed in Appendix B. (See 59 FR 64164.)

Comments were also received from Nissan requesting that two vehicle lines be deleted from the Appendix A listing because they are no longer being produced. Those lines are the "300ZX" and the "Infiniti M30". The agency understands Nissan's reasons for requesting deletion of the "300ZX" and the "Infiniti M30" from the list of vehicles subject to the parts-marking requirements of the Theft Prevention Standard. However, NHTSA cannot delete the "300ZX" from the list because it has been covered by the Theft Prevention Standard since MY 1988, and the "Infiniti M30" has been covered since the MY 1990. Pursuant to 49 U.S.C. § 33104(d), a vehicle line on the list of lines subject to parts marking cannot be removed from that list unless the manufacturer has obtained an exemption from the parts-marking requirement based on the installation of a qualified anti-theft device as standard equipment on the entire line.

Nissan also informed the agency that two of its lines were incorrectly identified. The Nissan line, erroneously listed in Appendix A as "Sentra 1", has been identified respectively "Sentra/200SX 1" and "Infiniti I" erroneously listed in Appendix A-I has been identified respectively "Infiniti I30".

Comments were also received from Subaru of America, Inc. informing the agency that the vehicle class for one of its lines was incorrectly identified. The Subaru line, erroneously listed as "Forester (MPV) 2", has been identified respectively "Forester 2", as a passenger car.

Since the corrections made by this document only inform the public of previous agency actions, and do not impose any additional obligations on any party, NHTSA finds for good cause that the revisions made by this notice should be effective as soon as it is published in the **Federal Register**.

#### List of Subjects in 49 CFR Part 541

Administrative practice and procedure, Labeling, Motor vehicles, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR Part 541 is amended as follows:

#### PART 541—[AMENDED]

1. The authority citation for Part 541 continues to read as follows:

**Authority:** 15 U.S.C. 2021-2024, and 2026; delegation of authority at 49 CFR 1.50.

#### Appendix A—[Amended]

2. Appendix A is amended as follows:

- a. In the entry for "Honda", the "Civic" is removed.
- b. In the entry for "Nissan", "Sentra 1" is revised to read "Sentra/200SX 1".
- c. In the entry for "Subaru", "Forester (MPV) 2" is revised to read "Forester 2".

#### Appendix A-I—[Amended]

3. Appendix A-I is amended as follows:

- a. In the entry for "Nissan", "Infiniti I" is revised to read "Infiniti I30".

Issued: September 29, 1997.

**L. Robert Shelton,**

*Associate Administrator for Safety Performance Standards.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 970730185-7206-02; I.D. 093097A]

### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Closure of the Commercial Red Snapper Component

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

**ACTION:** Closure.

**SUMMARY:** NMFS closes the commercial fishery for red snapper in the exclusive economic zone (EEZ) of the Gulf of Mexico. NMFS has projected that the annual commercial quota for red snapper will be reached on October 6, 1997. This closure is necessary to protect the red snapper resource.

**EFFECTIVE DATE:** Closure is effective noon, local time, October 6, 1997, through December 31, 1997.

**FOR FURTHER INFORMATION CONTACT:** Robert Sadler, 813-570-5305.

**SUPPLEMENTARY INFORMATION:** The reef fish fishery of the Gulf of Mexico is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act by regulations at 50 CFR part 622. Those regulations set the commercial quota for red snapper in the Gulf of Mexico at 4.65 million lb (m lb) (2.11 million kg (m kg)) for the current fishing year, January 1 through December 31, 1997. The 1997 commercial quota was split between two seasons, the first beginning on February 1 with a quota of 3.06 m lb (1.39 m kg) and the second beginning with an initial period of September 2 to September 15 and thereafter from the first to the 15th of each month until the annual commercial quota is reached. Openings and closings in the fall 1997 season are at noon on the date indicated.

Under 50 CFR 622.43(a), NMFS is required to close the commercial fishery for a species or species group when the quota for that species or species group is reached, or is projected to be reached, by publishing notification to that effect in the **Federal Register**. Based on current statistics, NMFS has projected