

**DATES:** Applications must be received on or before June 30, 1999.

**ADDRESSES:** Written applications should be mailed to the Office of Motor Carrier Research and Standards (HCS-10), Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.

**FOR FURTHER INFORMATION CONTACT:** Mr. Neill L. Thomas, Office of Motor Carrier Research and Standards, (202) 366-4009, or Mr. Charles Medalen, Office of Chief Counsel, (202) 366-1354, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays. Application requests and specific questions regarding this pilot demonstration project may also be directed to the contact person(s) named in this notice or the Division Offices of the FHWA in your State.

**SUPPLEMENTARY INFORMATION:**

**Background**

On September 30, 1988, the FHWA published a final rule (53 FR 38666) to allow motor carriers to use certain automatic on-board devices to record their drivers' duty status in lieu of the handwritten records required by 49 CFR 395.8. This provision is now codified at 49 CFR 395.15. Many motor carriers employing this technology found that their compliance with the hours-of-service regulations improved. New technologies are emerging, however, and the narrowly crafted on-board recorder provision is becoming obsolete.

Before considering changes to the rule, the FHWA determined that it would be prudent to demonstrate the effectiveness of more recent technology for ensuring compliance with the hours-of-service regulations. On April 6, 1998, the FHWA announced a pilot project that would allow motor carriers to use GPS tracking systems and related computer programs to monitor compliance with the hours-of-service regulations. Drivers would be exempted from the requirement to maintain paper logs (63 FR 16697). Werner Enterprises, Inc., was the first carrier to enter into an agreement with the FHWA to use a GPS system for this purpose. The FHWA believes GPS technology and many of the complementary safety management computer systems currently available to the motor carrier industry provide at least the same degree of monitoring accuracy as 49 CFR 395.15. The FHWA also believes the project will demonstrate that reduced paperwork and recordkeeping requirements are

consistent with highway safety, while providing economic advantages to the motor carrier industry.

**Reason for Extending the Application Deadline**

No applications have been received to date. However, several motor carriers have informed the FHWA of their desire to participate in this pilot project. They were unable to purchase or develop the requisite computer systems and software that complement the GPS technology before the original application deadline of October 5, 1998. Therefore, to ensure the best possible results for this pilot project, the agency is extending the application period to June 30, 1999. Any motor carriers that wish to participate in the pilot demonstration project must have GPS technology and complementary safety management computer systems which meet all of the conditions specified in the April 6, 1998, notice.

**Authority:** 5 U.S.C. 553(b); 23 U.S.C. 315; 49 U.S.C. 31133, 31136, and 31502; sec. 345, Pub. L. 104-59, 109 Stat. 568, 613; and 49 CFR 1.48.

Issued on: December 21, 1998.

**Kenneth R. Wykle,**

*Federal Highway Administrator.*

[FR Doc. 98-34635 Filed 12-29-98; 8:45 am]

BILLING CODE 4910-22-P

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 285**

[I.D. 122198B]

**Atlantic Tuna Fisheries; Atlantic Bluefin Tuna**

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

**ACTION:** Catch limit adjustment.

**SUMMARY:** NMFS adjusts the daily catch limit for Atlantic bluefin tuna (BFT) in all areas to one fish per vessel, which may be from the school, large school, or small medium size class. The Angling category trophy fishery for large medium and giant BFT remains at one fish per vessel, per year. This action is being taken to lengthen the fishing season and to ensure reasonable fishing opportunities in all geographic areas without risking overharvest of the quota established for the Angling category fishery.

**DATES:** Effective 1 a.m. local time on January 1, 1999, until the end of the

1999 winter fishery. NMFS will announce any subsequent catch limit adjustments by publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Sarah McLaughlin, 978-281-9146.

**SUPPLEMENTARY INFORMATION:**

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285.

Implementing regulations for the Atlantic tuna fisheries at § 285.24 allow for adjustments to the daily catch limit in order to provide for maximum utilization of the quota spread over the longest possible period of time. The Assistant Administrator for Fisheries, NOAA, may increase or reduce the per angler catch limit for any size class BFT or may change the per angler limit to a per vessel limit or a per vessel limit to a per angler limit. NMFS is responsible for implementing the recommendation by the International Commission for the Conservation of Atlantic Tunas to restrict domestic landings of BFT within the assigned country allocation and further to limit the take of school size BFT (measuring 27 to <47 inches/69 to <119 cm). In addition, it is NMFS' goal to increase the geographical and temporal distribution of data collection and fishing opportunities in the Angling category.

Effective January 1, 1999, NMFS adjusts the daily catch limit as follows: Each Angling category vessel may retain no more than one BFT from the school (measuring 27 to <47 inches/69 to <119 cm), large school (measuring 47 to <59 inches/119 to <150 cm), or small medium (measuring 59 to <73 inches/150 to <185 cm) size class. In addition, each Angling category vessel may retain no more than one large medium or giant BFT (measuring 73 inches/185 cm or greater) per year. Catch rates during the first few months of 1998 were low, but catch rates and average sizes of BFT landed during the winter fishery were high in 1996 and 1997. This action is being taken to provide the greatest geographic and temporal range of data collection and fishing opportunities without risking overharvest.

Charter/Headboat category vessels, when engaged in recreational fishing for BFT, are subject to the same rules as Angling category vessels. In addition, anglers aboard permitted vessels may continue to tag and release BFT of all sizes under the NMFS tag-and-release program (50 CFR 285.27).

NMFS will continue to monitor the Angling category fishery closely through

the Automated Catch Reporting System and the Large Pelagic Survey. All BFT landed under the Angling category quota outside North Carolina must be reported within 24 hours of landing to the NMFS Automated Catch Reporting System by phoning 888-USA-TUNA (888-872-8862). In North Carolina, all BFT must be taken to a reporting station to receive a landing tag before removing the fish from the vessel. For information about the North Carolina Harvest Tagging Program, including reporting station locations, call 800-338-7804.

Subsequent adjustments to the daily catch limit, as necessary, shall be announced through publication in the **Federal Register**. In addition, anglers may call the Atlantic Tunas Information Line at 1-888-USA-TUNA (888-872-8862) or at 978-281-9305 for updates on quota monitoring and catch limit adjustments.

#### Classification

This action is taken under 50 CFR 285.24(d)(3) and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 971 *et seq.*

Dated: December 23, 1998.

**Gary C. Matlock,**

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

[FR Doc. 98-34543 Filed 12-29-98; 8:45 am]

BILLING CODE 3510-22-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 980804203-8306-02; I.D. 061298A]

RIN 0648-AL00

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Special Management Zones

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

**ACTION:** Final rule.

**SUMMARY:** In accordance with the framework procedure of the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP), NMFS establishes 10 special management zones (SMZs) at the sites of artificial reefs (ARs) in the exclusive economic zone (EEZ) off South Carolina in which fishing will be restricted to handline, rod and reel, and

spearfishing gear (excluding powerheads) and prohibits the use of powerheads in the Ft. Pierce Offshore Reef (Offshore Reef) SMZ. The intended effect is to promote orderly use of the fishery resources on and around the ARs, to reduce potential user-group conflicts, and to maintain the socioeconomic benefits of the ARs to the maximum extent practicable.

**DATES:** This rule is effective January 29, 1999.

**FOR FURTHER INFORMATION CONTACT:** Peter J. Eldridge, 727-570-5305.

**SUPPLEMENTARY INFORMATION:** The fisheries for snapper-grouper species in the EEZ off the southern Atlantic states are regulated under the FMP. The FMP was prepared by the South Atlantic Fishery Management Council (Council) and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act by regulations at 50 CFR part 622.

In accordance with the framework procedures of the FMP, the Council recommended, and NMFS published, a proposed rule (63 FR 43656, August 14, 1998) to establish 10 SMZs in the EEZ off South Carolina in which fishing would be restricted to handline, rod and reel, and spearfishing gear (excluding powerheads) and to prohibit the use of powerheads in the Offshore Reef SMZ. The preamble to the proposed rule described the FMP's framework procedure through which the Council recommended the establishment of the SMZs and the prohibition of powerheading in the Offshore Reef SMZ and explained the need and rationale for them. Those descriptions are not repeated here.

#### Comments and Responses

Eight comments were received during the public comment period. A summary of the comments and NMFS' responses follow.

**Comment 1:** Two commenters supported the establishment of the 10 SMZs in the EEZ off South Carolina and the prohibition on the use of powerheads in the Ft. Pierce Offshore Reef SMZ.

**Response:** NMFS agrees.

**Comment 2:** A commenter noted that the reference to the Port Royal 45 Foot Reef should be changed to the Beaufort 45 Foot Reef and provided revised latitudes on the northern and southern boundaries for the Edisto 60 Foot Reef.

**Response:** NMFS concurs with the comments, and the final rule has been revised accordingly.

**Comment 3:** A commenter stated that SMZs are just another way to take from commercial fishermen and give to recreational anglers.

**Response:** The 10 SMZs in the EEZ off South Carolina are at the sites of ARs constructed by the South Carolina Department of Natural Resources and are on an expansive shelf area that has large areas devoid of any hard or live bottom. Prior to establishment of these ARs, these areas did not support any significant fisheries. Since commercial fishermen use powerheads, the prohibition on use of powerheads in certain SMZs would have more of an impact upon the commercial sector. Nonetheless, commercial fishermen can still fish in the SMZs provided they use allowable gear. In this context, as long as they use the same gear, all fishermen (commercial and recreational) have an equal opportunity to catch fish in the SMZs.

**Comment 4:** Three commenters opposed the ban on the use of powerheads in the Offshore Reef SMZ. They stated that powerheads were efficient, safe and would result in fewer fish being wounded and escaping only to die later. Also, they stated that commercial fishing had occurred on the Offshore Reef for many years and that the ban on powerheading would result in severe economic hardship. They contended that the ARs concentrated fish from surrounding areas; hence, there were fewer fish available in surrounding areas for commercial fishermen.

**Response:** NMFS agrees that powerheads are efficient and safe and may result in fewer wounded fish escaping and dying later. NMFS has no evidence to indicate that commercial fishing has occurred for many years on the Offshore Reef. Scientifically, it is unknown whether ARs concentrate fish from surrounding areas because the relative fishing pressure on the ARs versus surrounding areas is unknown. Thus, NMFS does not deny that the ban on powerheading in the Offshore Reef SMZ may somewhat adversely affect commercial divers by making their operations less efficient. Nonetheless, commercial fishermen may still fish in the Offshore Reef SMZ provided they use allowable gear, which includes traditional spearfishing gear. The regulations will result in a reduction in user-group conflict and promote orderly use of the resource. The intent of the SMZ program is to increase the number of ARs to create new fishing opportunities that would not otherwise exist. To the extent that one user group takes a disproportionate share of the resource, the incentive to build new ARs is diminished. Also, to the extent that ARs increase biological production, the resource base for exploitation will be increased. Given the potential costs