

TABLE 2.—PERCENTAGE OF LIGHT TRUCKS SOLD IN THE U.S., EQUIPPED WITH ABS ¹—Continued

| Model year | Import truck % ABS | Domestic truck % RWAL ² | Domestic truck % 4WABS | Total truck % ABS |
|------------|-----------------------|---------------------------------------|---------------------------|-------------------|
| 1995 | | 34.7 | 56.2 | |

¹ Source: *Wards Automotive*, 1990–1995.

² RWAL=Rear Wheel Antilock System.

Based on this information, NHTSA continues to believe that a significant majority of the light vehicle fleet will be equipped with ABS, regardless of whether there is a Federal mandate for such systems. As a result, light vehicles will benefit from the stability and control characteristics obtained by equipping such vehicles with ABS. Accordingly, the agency's decision not to require light vehicles to be equipped with ABS is based in part on the wide scale voluntary installation of ABS.

C. Cost Implications

In the January 1994 ANPRM, NHTSA estimated that requiring all light vehicles to be equipped with ABS would cost approximately \$1.04 billion annually to equip those vehicles that would not voluntarily be equipped. That notice stated that this cost consists of ABS hardware costs of \$920 million, installation costs of about \$80 million, and increased fuel costs of about \$40 million due to a small increase in vehicle weight. The average retail price of an ABS system to the consumer was estimated to be \$450. This price was based on a cost study of seven ABS systems entitled "Evaluation of Costs of Antilock Brake Systems" and a markup factor of 1.51. The agency's cost estimate assumed that all-wheel ABS would be required on all light vehicles. It projected that all-wheel ABS would be voluntarily installed as standard equipment in 85 percent of model year 1999 passenger cars. The remaining 15 percent, or about 1.4 million vehicles, would be equipped only as a result of this regulatory requirement. However, since the ABS installation rate for 1995 model year domestic passenger vehicle cars, as reported in Table 1, was little different from 1994, it appears that this projected 85 percent voluntary installation rate by 1999 could be somewhat optimistic. A voluntary installation rate of possibly as low as 70 percent by 1999 could occur, in which case the remaining 30 percent, or about 2.8 million passenger cars, would be equipped only if there were a regulatory requirement. Such a higher involuntary ABS installation rate would increase the estimated annual cost of a requirement for passenger cars from \$710 million to \$1,420 million. If this were to occur, the

estimated annual cost for all light vehicles would increase to \$1.75 billion.

The cost estimate also projected that all light trucks would be voluntarily equipped with ABS by model year 1999/2000, 75 percent of them having all-wheel systems. Thus, an additional 25 percent of new light trucks or about 1.5 million vehicles, would be involuntarily equipped with all-wheel ABS if the agency issued a final rule requiring this. In this case, all-wheel ABS hardware and installation costs would be about \$200 more than those for rear-wheel systems.

NHTSA believes that the significant costs associated with manufacturers having to equip approximately 4.3 million additional vehicles with all-wheel ABS further justifies the agency's decision not to require light vehicles to be equipped with all-wheel ABS at this time. The studies discussed above do not support such a Federal requirement at this time. NHTSA emphasizes that the costs and benefits associated with light vehicle ABS contrasts sharply with the analyses the agency conducted for medium and heavy ABS, which determined that ABS was highly beneficial for such vehicles.

For the reasons set forth above, NHTSA has decided to defer this rulemaking action indefinitely.

Authority: 49 U.S.C. 322, 30111, 30115, 30117 and 30166; delegation of authority at 49 CFR 1.50 and 501.8.

Issued on: July 5, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 070196E]

RIN 0648-A195

Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific Fisheries Research Plan

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

ACTION: Notice of availability; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) has submitted for review by NMFS the repeal of the North Pacific Fisheries Research Plan (Research Plan), Amendment 47 to the Fishery Management Plan (FMP) for Groundfish of the Gulf of Alaska, Amendment 47 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (Groundfish FMPs), and Amendment 6 to the FMP for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands Area (Crab FMP). NMFS is requesting comments on these proposed actions from the public. Repeal of the Research Plan would terminate the comprehensive North Pacific groundfish and crab observer program and the associated user-fee system developed by NMFS and the Council as authorized by section 313 of the Magnuson Fishery Conservation and Management Act (Magnuson Act). Amendments 47 and 47 to the groundfish FMPs would establish an interim groundfish observer program to supersede the Research Plan and authorize mandatory groundfish observer coverage requirements for 1997. Amendment 6 to the crab FMP would remove reference to the Research Plan. Copies of the amendments may be obtained from the Council (see **ADDRESSES**).

DATES: Comments should be submitted by September 9, 1996.

A public hearing on the proposed repeal of the Research Plan will be held

by teleconference on Monday, August 19, 1996, at 1 p.m., Alaska local time. (For information regarding how to participate, see **ADDRESSES**.)

ADDRESSES: Comments should be submitted to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK, 99802-1668, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK.

Copies of the FMP amendments and the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis prepared for the amendments are available from the North Pacific Fishery Management Council, 605 West Fourth Ave., Anchorage, AK 99501-2252; telephone: 907-271-2809.

See **SUPPLEMENTARY INFORMATION** for locations of public hearings by teleconference.

FOR FURTHER INFORMATION CONTACT: Kim S. Rivera, 907-586-7228.

SUPPLEMENTARY INFORMATION: Locations where interested persons may participate in the August 19, 1996, public hearing by teleconference are as follows:

1. Anchorage—North Pacific Fishery Management Council, 600 West 4th Avenue, Anchorage, AK 99501, telephone: 907-271-2809;
2. Juneau—National Marine Fisheries Service, Alaska Region, 706 West 9th Street, Juneau, AK 99802, telephone: 907-586-7228;
3. Kodiak—National Marine Fisheries Service Laboratory, Bldg. 53, U.S. Coast Guard Support Center, Kodiak, AK 99615, telephone: 907-487-5961;
4. Seattle—Alaska Fisheries Science Center, 7600 Sand Point Way Northeast, Building 4, Room 7600, Seattle, WA 98115, telephone: 206-526-4197;
5. Newport—Oregon Department of Fish and Wildlife, 2040 Southeast Marine Science Drive, Newport, OR 97365, telephone: 503-867-0300.

The Magnuson Act requires that each Regional Fishery Management Council submit any fishery management plan (FMP) or plan amendment it prepares to NMFS for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that NMFS, upon receiving an FMP or amendment, immediately publish a document that the FMP or amendment is available for

public review and comment. During this comment period, NMFS will conduct public hearings, as required by section 313(c)(2) of the Magnuson Act, in Alaska, Oregon, and Washington to receive public comments on the proposed repeal of the Research Plan. NMFS will consider the public comments received during the comment period in determining whether to approve the repeal of the Research Plan and these amendments.

Repeal of the Research Plan

Beginning in April 1995, the Council and industry representatives voiced numerous concerns about certain elements of the Research Plan. The fundamental issues were cost-related and included: (1) Cost equity issues associated with the redistribution of observer costs throughout the crab, groundfish, and halibut sectors; (2) the ability of NMFS to require necessary observer coverage levels for special management programs (e.g., community development quotas, individual vessel bycatch and discard accountability) given the fee limitations outlined in the Magnuson Act (i.e., fees cannot exceed 2 percent of the exvessel value of retained Research Plan fish); and (3) potential reductions in observer coverage due to cost increases associated with Research Plan objectives to address observer data integrity. As a result, the Council recommended delaying full implementation of the Research Plan and requested that NMFS work with Council-appointed industry representatives on the Observer Oversight Committee (OOC) to address these concerns and others of a less substantial nature.

The OOC met with NMFS and interested parties in September and October 1995. Through discussion and negotiation, the OOC arrived at acceptable solutions to most of the Council's stated Research Plan implementation problems. The OOC was unable to reach consensus on issues associated with the redistribution of costs under the Research Plan. The distribution of costs throughout the crab, groundfish, and halibut fleets on the basis of landed value of catch, and implemented through the Research Plan user fee, resulted in significantly increased observer costs for some

industry sectors and generally reduced costs for catcher vessels and small processors. Even though this change in cost distribution was integral to the Research Plan, some participants in the groundfish and crab fisheries asserted that they had been encumbered with an inequitably high share of the cost of the North Pacific observer programs.

Because of the inability to resolve these critical issues, the Council voted at its December 1995 meeting to repeal the Research Plan and its associated fee-based funding mechanism. In response, NMFS issued an interim final rule (61 FR 13782, March 28, 1996) that discontinued the 1995 Research Plan fee collection process, authorized the issuance of annual Federal processor permits without regard to payment of Research Plan fees, and established a procedure to refund all fees collected (approximately \$5.6 million) by NMFS under the 1995 Research Plan, along with accrued interest.

FMP Amendments

Amendments 47 to the Groundfish FMPs would authorize an interim North Pacific groundfish observer program and authorize groundfish observer coverage requirements through 1997. Amendment 6 to the Crab FMP would remove language associated with the Research Plan.

A proposed rule to implement the repeal of the Research Plan and the FMP amendments has been submitted for Secretarial review and approval and is scheduled to be published within 15 days of the date of publication of this document. The proposed rule to implement Amendments 47 also will include 1997 observer coverage requirements, vessel and processor responsibilities under the interim groundfish observer program, and criteria for the certification, suspension, and decertification of observers and observer contractors.

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

Dated: July 8, 1996.

Richard W. Surdi,
Acting Director, Office of Fisheries
Conservation and Management, National
Marine Fisheries Service.
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