

The redesignation request and maintenance plan satisfy all applicable requirements of the Clean Air Act.

**PART 81—[AMENDED]**

1. The authority citation for part 81 continues to read as follows:

**Authority:** 42 U.S.C. 7401-7671q.

2. In § 81.314, the table entitled “Illinois PM-10” is amended by revising the entry for “Madison County” to read as follows:

**§ 81.314 Illinois.**

\* \* \* \* \*

ILLINOIS—PM-10

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * * Madison County Granite City Township and Nameoki Township.	5/11/98	Attainment .....	*	*
* * * * *	*	*	*	*

\* \* \* \* \*  
[FR Doc. 98-6091 Filed 3-10-98; 8:45 am]  
BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 86**

[FRL-5975-9]

RIN 2060-AH06

**Control of Air Pollution From Motor Vehicles and New Motor Vehicle Engines; Increase of the Vehicle Mass for 3-Wheeled Motorcycles**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** Today’s action changes the regulatory definition of a motorcycle to include 3-wheeled vehicles weighing up to 1749 pounds effective for 1998 and later model year motorcycles for which emission standards are in place.

This action will create no detrimental health effects, and will therefore retain the health benefits derived from the current motorcycle regulations in effect.

**DATES:** This rule is effective on April 10, 1998.

**ADDRESSES:** Materials relevant to this final rule are contained in Docket No. A-96-49. The docket is located at the Air Docket section, 401 M. Street, SW., Washington, DC 20460, and may be viewed in room M-1500 between 8:00 a.m. and 5:30 p.m., Monday through Friday. The telephone number is (202) 260-7548 and the facsimile number is (202) 260-4400. A reasonable fee may be charged by EPA for copying docket material.

**FOR FURTHER INFORMATION CONTACT:** Frank Lamitola, Vehicle Programs and Compliance Division, U.S.

Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, Michigan 48105. Telephone (313) 668-4479. Email LAMITOLA.FRANK@EPAMAIL.EPA.GOV. FAX (313) 741-7869.

**SUPPLEMENTARY INFORMATION:**

**Regulated Entities**

Entities regulated by this action are motorcycle and motor vehicle manufacturers. Tabulated entities include the following:

Category	Examples of regulated entities
Industry	<ul style="list-style-type: none"> <li>• Motorcycle manufacturers.</li> <li>• Manufacturers of 3-wheeled vehicles.</li> <li>• Importers of motorcycles.</li> </ul>

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your facility is regulated by this action, you should carefully examine the criteria contained in § 86.402 of title 40 of the Code of Federal Regulations, as modified by today’s action. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

**Electronic Availability**

Electronic copies of the preamble and the regulatory text of this final rulemaking are available via the EPA internet web site. This service is free of charge, except for any cost you already incur for internet connectivity. An electronic version is made available on the day of publication on the primary

EPA web site listed below. The EPA Office of Mobile Sources also publishes these documents on the secondary web site listed below:

EPA internet web site  
<http://www.epa.gov/docs/fedrgstr/EPA-AIR/> (either select desired date or use Search feature)

OMS web site  
<http://www.epa.gov/OMSWWW/> (look in “What’s New” or under the specific rulemaking topic)

Please note that due to differences between the software used to develop the document and the software into which the document may be downloaded, changes in format, page length, etc. may occur.

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**I. Background**

On June 3, 1997, the Agency published a proposed rule which increased the allowable weight limit for three-wheeled motorcycles from 1499 pounds to 1749 pounds (62 FR 30291). This action was taken after a manufacturer requested that EPA consider raising the weight limit to accommodate the market demand for slightly heavier three-wheeled motorcycles. According to the manufacturer, raising the limit would allow more amenities, such as air conditioning. EPA found that it was appropriate to propose raising the weight limit to 1749 pounds, because it accommodates the market-driven changes indicated by the manufacturer, but does not compromise air quality or health benefits. EPA requested comments about the potential for the weight increase to substantially increase the number of such vehicles being sold

in the U.S., or the manner in which they are used. No comments were received during the public comment period for the proposed rule. Therefore, EPA is finalizing as proposed the increased weight limit for 3-wheeled motorcycles.

EPA believes that increasing the weight limit for 3-wheeled vehicles by 250 pounds will not compromise air quality or health benefits based on the current market for these vehicles. The health benefits currently achieved by the motorcycle emission standards are anticipated to remain, and not be adversely impacted by raising the weight limit of 3-wheeled vehicles. Furthermore, it is EPA's understanding that the number of 3-wheeled vehicles affected by this action is going to be very small (i.e., sales of around 500 units annually). EPA will revisit this matter if this understanding changes.

## II. Requirements of the Final Rule

EPA is increasing the weight limit for 3-wheeled motorcycles from 1,499 pounds (680 Kg) to 1,749 pounds (793 Kg). EPA is also amending the motorcycle testing procedures to account for the increase in weight.

## III. Public Participation

EPA stated in the proposal that a public hearing would be held if requested. No party requested a hearing. A sixty-day public comment period was provided, during which time no written comments were submitted to the EPA Air Docket.

## IV. Administrative Requirements

### A. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

- (1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
- (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
- (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or
- (4) raise novel legal or policy issues arising out of legal mandates, the

President's priorities, or the principles set forth in the Executive Order.

It has been determined that this rule is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to OMB review.

### B. Reporting and Recordkeeping Requirements

This regulation does not impose any new information collection requirements and results in no change to the currently approved collection. The Office of Management and Budget (OMB) has approved the information collection requirements contained in this rule under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* and has assigned OMB control number 2060-0104.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

### C. Impact on Small Entities

EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection with this proposed rule. This rule will not have a significant adverse economic impact because it will increase the weight limit on these vehicles, thereby allowing the manufacturers of three-wheeled vehicles to produce these vehicles within the weight limit of 1749 pounds (793 Kg). This weight increase will allow manufacturers of vehicles near the existing limit of 1499 pounds (680 Kg) to provide more options on those vehicles and thus share the existing market with competing entities fairly. EPA has identified only two manufacturers currently marketing such vehicles in the United States.

### D. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of the rule in today's **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

### E. Unfunded Mandates Act

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to the private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the final approval action promulgated today does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector.

### List of Subjects in 40 CFR Part 86

Environmental protection, Administrative practice and procedure, Confidential business information, Labeling, Motor vehicle pollution, Reporting and recordkeeping requirements.

Dated: March 3, 1998.

**Carol M. Browner,**  
Administrator.

For the reasons set out in the preamble, part 86 of title 40 of the Code of Federal Regulations is amended as follows:

### **PART 86—CONTROL OF AIR POLLUTION FROM NEW AND IN-USE MOTOR VEHICLES AND NEW AND IN-USE MOTOR VEHICLE ENGINES: CERTIFICATION AND TEST PROCEDURES**

1. The authority citation for part 86 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

**Subpart E—Emission Regulations for 1978 and Later New Motorcycles, General Provisions**

2. A new § 86.402-98 is added to read as follows:

**§ 86.402-98 Definitions.**

The definitions of § 86.402-78 apply to this subpart. The following definition in this section is applicable beginning with the 1998 model year:

*Motorcycle* means any motor vehicle with a headlight, taillight, and stoplight and having: Two wheels, or Three wheels and a curb mass less than or equal to 793 kilograms (1749 pounds).

3. Section 86.406-78 is amended by revising paragraph (d) to read as follows:

**§ 86.406-78 Introduction, structure of subpart, further information.**

\* \* \* \* \*

(d) Manufacturers who are considering an application should contact: Director, Vehicle Programs and Compliance Division, Environmental Protection Agency, 2565 Plymouth Rd., Ann Arbor, Michigan 48105 and state whether he/she plans to certify for total sales of greater than or less than 10,000 vehicles for the applicable model year.

**Subpart F—Emission Regulations for 1978 and Later New Motorcycles; Test Procedures**

4. Section 86.518-78 is amended by revising paragraph (c) to read as follows:

**§ 86.518-78 Dynamometer calibration.**

\* \* \* \* \*

(c) The performance check consists of conducting a dynamometer coastdown at one or more inertia-horsepower settings and comparing the coastdown time to the table in Figure F98-9 of § 86.529-98. If the coastdown time is

outside the tolerance, a new calibration is required.

5. A new § 86.529-98 is added to subpart F to read as follows:

**§ 86.529-98 Road load force and inertia weight determination.**

(a)(1) Road load as a function of speed is given by the following equation:

$$F = A + CV^2$$

(2) The values for coefficients A and C and the test inertia are given in Figure F98-9 of this section. Velocity V is in km/h and force (F) is in newtons. The forces given by the equation in paragraph (a)(1) of this section shall be simulated to the best ability of the equipment being used.

(b) The inertia given in Figure F98-9 shall be used. Motorcycles with loaded vehicle mass outside these limits shall be tested at an equivalent inertial mass and road load force specified by the Administrator. Figure F98-9 follows:

FIGURE F98-9

Loaded vehicle mass (kg)	Equivalent inertial mass (kg)	Force coefficients		Force at 65 km/h (nt)	70 to 60 km/h coastdown calibration times		
		A (nt)	C (nt/(km/h) <sup>2</sup> )		Target time (sec)	Allowable tolerance	
						Longest time (sec)	Shortest time (sec)
95-105	100	0.0	.0224	94.8	2.95	3.1	2.8
106-115	110	0.82	.0227	96.8	3.18	3.3	3.0
116-125	120	1.70	.0230	98.8	3.39	3.6	3.2
126-135	130	2.57	.0233	100.9	3.60	3.8	3.4
136-145	140	3.44	.0235	102.9	3.80	4.0	3.6
146-155	150	4.32	.0238	104.9	3.99	4.2	3.8
156-165	160	5.19	.0241	107.0	4.10	4.4	4.0
166-175	170	6.06	.0244	109.0	4.36	4.6	4.2
176-185	180	6.94	.0246	111.0	4.53	4.7	4.3
186-195	190	7.81	.0249	113.1	4.69	4.9	4.5
196-205	200	8.69	.0252	115.1	4.85	5.1	4.6
206-215	210	9.56	.0255	117.1	5.00	5.2	4.8
216-225	220	10.43	.0257	119.2	5.15	5.4	4.9
226-235	230	11.31	.0260	121.2	5.30	5.5	5.1
236-245	240	12.18	.0263	123.2	5.43	5.7	5.2
246-255	250	13.06	.0266	125.3	5.57	5.8	5.4
256-265	260	13.93	.0268	127.3	5.70	5.9	5.5
266-275	270	14.80	.0271	129.3	5.82	6.1	5.6
276-285	280	15.68	.0274	131.4	5.95	6.2	5.7
286-295	290	16.55	.0277	133.4	6.06	6.3	5.8
296-305	300	17.43	.0279	135.4	6.18	6.4	6.0
306-315	310	18.30	.0282	137.5	6.29	6.5	6.1
316-325	320	19.17	.0285	139.5	6.40	6.6	6.2
326-335	330	20.05	.0288	141.6	6.50	6.7	6.3
336-345	340	20.92	.0290	143.6	6.60	6.8	6.4
346-355	350	21.80	.0293	145.6	6.70	6.9	6.5
356-365	360	22.67	.0296	147.7	6.80	7.0	6.6
366-375	370	23.54	.0299	149.7	6.89	7.1	6.7
376-385	380	24.42	.0301	151.7	6.98	7.2	6.8
386-395	390	25.29	.0304	153.8	7.07	7.3	6.9
396-405	400	26.17	.0307	155.8	7.16	7.4	6.9
406-415	410	27.04	.0310	157.8	7.24	7.5	7.0
416-425	420	27.91	.0312	159.9	7.33	7.6	7.1
426-435	430	28.79	.0315	161.9	7.41	7.6	7.2
436-445	440	29.66	.0317	163.7	7.49	7.7	7.3
446-455	450	30.54	.0318	164.9	7.61	7.8	7.4
456-465	460	31.41	.0319	166.0	7.73	8.0	7.5
466-475	470	32.28	.0319	167.1	7.84	8.1	7.6
476-485	480	33.16	.0320	168.3	7.95	8.2	7.7

FIGURE F98-9—Continued

Loaded vehicle mass (kg)	Equivalent inertial mass (kg)	Force coefficients		Force at 65 km/h (nt)	70 to 60 km/h coastdown calibration times		
		A (nt)	C (nt/(km/h) <sup>2</sup> )		Target time (sec)	Allowable tolerance	
						Longest time (sec)	Shortest time (sec)
486-495	490	34.03	.0320	169.4	8.06	8.3	7.8
496-505	500	34.90	.0321	170.5	8.17	8.4	7.9
506-515	510	35.78	.0322	171.7	8.28	8.5	8.0
516-525	520	36.65	.0322	172.8	8.39	8.6	8.2
526-535	530	37.53	.0323	173.9	8.49	8.7	8.3
536-545	540	38.40	.0323	175.1	8.60	8.8	8.4
546-555	550	39.27	.0324	176.2	8.70	9.0	8.5
556-565	560	40.15	.0325	177.3	8.80	9.1	8.6
566-575	570	41.02	.0325	178.5	8.90	9.2	8.7
576-585	580	41.90	.0326	179.6	9.00	9.3	8.8
586-595	590	42.77	.0327	180.8	9.10	9.4	8.9
596-605	600	43.64	.0327	181.9	9.19	9.5	8.9
606-615	610	44.52	.0328	183.0	9.29	9.5	9.0
616-625	620	45.39	.0328	184.2	9.38	9.6	9.1
626-635	630	46.27	.0329	185.3	9.47	9.7	9.2
636-645	640	47.14	.0330	186.4	9.56	9.8	9.3
646-655	650	48.01	.0330	187.6	9.65	9.9	9.4
656-665	660	48.89	.0331	188.7	9.74	10.0	9.5
666-675	670	49.76	.0332	189.8	9.83	10.1	9.6
676-685	680	50.64	.0332	191.0	9.92	10.2	9.7
686-695	690	51.51	.0333	192.1	10.01	10.3	9.8
696-705	700	52.38	.0333	193.2	10.09	10.4	9.8
706-715	710	53.26	.0334	194.4	10.17	10.4	9.9
716-725	720	54.13	.0335	195.5	10.26	10.5	10.0
726-735	730	55.01	.0335	196.6	10.34	10.6	10.1
736-745	740	55.88	.0336	197.8	10.42	10.7	10.2
746-755	750	56.75	.0336	198.9	10.50	10.8	10.2
756-765	760	57.63	.0337	200.1	10.58	10.9	10.3
766-775	770	58.50	.0338	201.2	10.66	10.9	10.3
776-785	780	59.38	.0338	203.3	10.74	11.0	10.4
786-795	790	60.25	.0339	204.5	10.82	11.1	10.5
796-805	800	61.12	.0339	205.6	10.91	11.2	10.6
806-815	810	62.00	.0340	206.7	10.99	11.3	10.7
816-825	820	62.87	.0341	207.9	11.07	11.4	10.8
826-835	830	63.75	.0341	209.0	11.15	11.5	10.8
836-845	840	64.62	.0342	210.1	11.24	11.5	10.9
846-855	850	65.49	.0343	211.3	11.32	11.6	11.0
856-865	860	66.37	.0343	212.4	11.40	11.7	11.1
866-873	870	67.24	.0344	213.5	11.48	11.8	11.2

(c) The dynamometer shall be adjusted to reproduce the specified road load as determined by the most recent calibration. Alternatively, the actual vehicle road load can be measured and duplicated:

(1) Make at least 5 replicate coastdowns in each direction from 70 to 60 km/h on a smooth, level track under balanced wind conditions. The driver must have a mass of 80 ±10 kg and be in the normal driving position. Record the coastdown time.

(2) Average the coastdown times. Adjust the dynamometer load so that the coastdown time is duplicated with the vehicle and driver on the dynamometer.

(3) Alternate procedures may be used if approved in advance by the Administrator.

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**DEPARTMENT OF DEFENSE**

**48 CFR Parts 209, 212, 213, 217, 222, and 252**

[DFARS Case 97-D314]

**Defense Federal Acquisition Regulation Supplement; Veterans Employment Emphasis**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The Director of Defense Procurement has issued an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement Section 8117 of the National Defense Appropriations Act for Fiscal Year 1998, which prohibits the obligation or expenditure of funds under a contract with a contractor that has not submitted a required report pertaining to employment of veterans.

**DATES:** *Effective date:* March 11, 1998.

*Comment date:* Comments on the interim rule should be submitted in writing to the address shown below on or before May 11, 1998, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Michael Pelkey, PDUSD (A&T) DP