

§ 387.303 [Amended]

35. Amend § 387.303, paragraph (b)(2) table, column 1, in paragraphs (a) through (c), by removing “10,000” and add, in its place, “10,001”.

PART 388—COOPERATIVE AGREEMENTS WITH STATES

36. The authority citation for part 388 continues to read as follows:

Authority: 49 U.S.C. 113 and 502; 49 CFR 1.73.

37. In part 388, remove “Regional Director of Motor Carriers” wherever it appears and add, in its place, “Field Administrator”.

PART 390—FEDERAL MOTOR CARRIER SAFETY REGULATIONS; GENERAL

38. The authority citation for part 390 continues to read as follows:

Authority: 49 U.S.C. 13301, 13902, 31132–31133, 31136, 31502, 31504; sec. 204, Pub. L. 104–88, 109 Stat. 803, 941 (49 U.S.C. 701 note); sec. 217, Pub. L. 105–159, 113 Stat. 1748, 1767; and 49 CFR 1.73.

§ 390.27 [Amended]

39. In § 390.27:

a. Amend the table, in the middle column, under the heading **Territory included**, in the territory covered by the Eastern Service Center, by inserting “Virgin Islands,” before **WV**;

b. Amend § 390.27 by adding notes 1 and 2 at the end of the table to read as follows:

§ 390.27 Locations of motor carrier safety service centers.

* * * * *

Note 1: Canadian carriers, for information regarding proper service center, contact a FMCSA division (State office in AK, ME, MI, MT, NY, ND, VT, or WA).

Note 2: Mexican carriers, for information regarding proper service center, contact a FMCSA division (State) office in AZ, CA, NM, or TX.

PART 391—QUALIFICATIONS OF DRIVERS

40. The authority citation for part 391 continues to read as follows:

Authority: 49 U.S.C. 322, 504, 31133, 31136, and 31502; and 49 CFR 1.73.

§ 391.41 [Amended]

41. Amend § 391.41(a) by adding a footnote at the end to read as follows:

§ 391.41 Physical qualifications for drivers.

(a) * * *

* * * * *

The United States and Canada entered into a Reciprocity Agreement, effective March 30,

1999, recognizing that a Canadian commercial driver's license is proof of medical fitness to drive. Therefore, Canadian commercial motor vehicle (CMV) drivers are no longer required to have in their possession a medical examiner's certificate if the driver has been issued, and possesses, a valid commercial driver's license issued by a Canadian Province or Territory. However, Canadian drivers who are insulin-using diabetics, who have epilepsy, or who are hearing impaired as defined in § 391.41(b)(11) are not qualified to drive CMVs in the United States. Furthermore, Canadian drivers who do not meet the medical fitness provisions of the Canadian National Safety Code for Motor Carriers but who have been issued a waiver by one of the Canadian Provinces or Territories are not qualified to drive CMVs in the United States.

§ 391.49 [Amended]

42. Amend § 391.49(a) by removing “State Director” and adding, in its place, “Division Administrator”.

§ 391.65 [Amended]

43. Amend § 391.65(a)(2)(vii), in the certificate, under (Signature of Driver), by removing “391.3(c)” and adding, in its place, “390.5”.

PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

44. The authority citation for part 393 continues to read as follows:

Authority: 49 U.S.C. 1041(b) of Pub. L. 102–240, 105 Stat. 1914, 49 U.S.C. 31136, and 31502; and 49 CFR 1.73.

§ 393.48 [Amended]

45. Amend § 393.48(c)(2) by removing the authority citation following paragraph (c)(2).

§ 393.52 [Amended]

46. Remove “53.5” and add, in its place, “43.5” in § 393.52(d)—Vehicle brake performance table, in second column, under heading “Braking force as a percentage of gross vehicle or combination weight.”

§ 393.86 [Amended]

47. Amend § 393.86(b)(3), in the heading, by removing “(g)” and adding, in its place, “(b)”.

Issued on: September 25, 2002.

Allan M. Fisher,

Associate Administrator for Administration and Chief Financial Officer.

[FR Doc. 02–24728 Filed 9–27–02; 3:15 pm]

BILLING CODE 4910–EX–M

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Parts 600 and 660**

[Docket No. 020904208 2208–01; I.D. 082702B]

RIN 0648–AP85

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Fishery Management Measures; Corrections

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

ACTION: Correction to emergency rule latitude/longitude coordinates for the Darkblotched Rockfish Conservation Area (DBCA) in the Pacific Coast groundfish fishery.

SUMMARY: This document contains corrections to DBCA latitude/longitude coordinates implemented by emergency rulemaking in the Pacific Coast groundfish fishery and published on September 13, 2002.

DATES: Effective September 10, 2002, through March 12, 2003.

FOR FURTHER INFORMATION CONTACT: Carrie Nordeen (Northwest Region, NMFS); phone: 206–526–6140; fax: 206–526–6736; e-mail: carrie.nordeen@noaa.gov,.

SUPPLEMENTARY INFORMATION: An emergency rule was recommended by the Pacific Fishery Management Council (Pacific Council) in consultation with Pacific Coast Treaty Tribes and the States of Washington, Oregon, and California at its June 17 - 21, 2002, meeting in Foster City, California. This emergency rule established the DBCA to protect darkblotched rockfish, an overfished species, while allowing limited entry trawl harvest of healthy groundfish stocks outside of the DBCA. The specifications and management measures for the current fishing year (January 1 - December 31, 2002) were initially published in the **Federal Register** as an emergency rule for January 1 - February 28, 2002 (67 FR 1540, January 11, 2002), and as a proposed rule for all of 2002 (67 FR 1555, January 11, 2002), then finalized effective March 1, 2002 (67 FR 10490, March 7, 2002). The final rule was subsequently amended at 67 FR 15338, April 1, 2002, at 67 FR 18117, April 15, 2002, at 67 FR 30604, May 7, 2002, at 67 FR 40870, June 14, 2002, at 67 FR

44778, July 5, 2002, at 67 FR 48571, July 25, 2002, at 67 FR 50835, August 6, 2002, at 67 FR 55166, August, 28, 2002, and at 67 FR 57973, September 13, 2002.

The new emergency rule in the Pacific Coast groundfish fishery (67 FR 57973, September 13, 2002) published latitude/longitude coordinates for the DBCA in the hundredths of a degree instead of in degrees and minutes. For consistency sake and at the request of the United States Coast Guard, this document republishes latitude/longitude coordinates for the DBCA in degrees and minutes.

Corrections

In the FR Doc. 02-23383 in the issue of Friday, September 13, 2002 (67 FR 57973) make the following corrections:

1. On pages 57975 - 57976, section IV (A) (22) is corrected to read as follows:

(22) Darkblotched Rockfish Conservation Area. There is hereby established a Darkblotched Rockfish Conservation Area (DBCA). The DBCA extends south from the U.S./Canada border (48°30' N. lat.) to 40°10' N. lat. The DBCA is defined along its eastern boundary by straight lines connecting all of the following points in the order stated:

48°14.00' N. lat., 125°36.00' W. long.;
48°8.00' N. lat., 125°38.00' W. long.;
47°57.00' N. lat., 125°30.00' W. long.;
48°20.00' N. lat., 125°18.00' W. long.;
48°20.00' N. lat., 125°3.00' W. long.;
48°23.00' N. lat., 124°50.00' W. long.;
48°17.00' N. lat., 124°56.50' W. long.;
48°6.00' N. lat., 125°0.00' W. long.;
48°9.00' N. lat., 125°18.00' W. long.;
48°6.00' N. lat., 125°18.00' W. long.;
47°59.00' N. lat., 125°16.00' W. long.;
47°49.00' N. lat., 125°3.00' W. long.;
47°42.00' N. lat., 125°4.50' W. long.;
47°31.00' N. lat., 124°54.00' W. long.;
47°24.00' N. lat., 124°46.00' W. long.;
47°18.50' N. lat., 124°45.00' W. long.;
47°8.50' N. lat., 124°56.00' W. long.;
47°0.50' N. lat., 124°54.50' W. long.;
47°1.00' N. lat., 124°58.50' W. long.;
46°57.00' N. lat., 124°54.50' W. long.;
47°0.00' N. lat., 124°49.00' W. long.;
46°54.00' N. lat., 124°48.00' W. long.;
46°54.50' N. lat., 124°52.50' W. long.;
46°41.50' N. lat., 124°43.00' W. long.;
46°34.50' N. lat., 124°28.50' W. long.;
46°29.00' N. lat., 124°30.00' W. long.;
46°20.00' N. lat., 124°36.50' W. long.;
46°18.00' N. lat., 124°38.00' W. long.;
46°17.00' N. lat., 124°35.50' W. long.;
46°17.00' N. lat., 124°22.50' W. long.;
46°16.00' N. lat., 124°20.00' W. long.;
46°12.00' N. lat., 124°35.00' W. long.;
46°10.50' N. lat., 124°39.00' W. long.;
46°8.91' N. lat., 124°39.11' W. long.;
46°0.97' N. lat., 124°38.56' W. long.;
45°57.05' N. lat., 124°36.42' W. long.;
45°54.29' N. lat., 124°40.02' W. long.;

45°47.19' N. lat., 124°35.58' W. long.;
45°41.75' N. lat., 124°28.32' W. long.;
45°34.16' N. lat., 124°24.24' W. long.;
45°27.10' N. lat., 124°21.74' W. long.;
45°17.15' N. lat., 124°17.85' W. long.;
44°59.52' N. lat., 124°19.34' W. long.;
44°49.31' N. lat., 124°29.97' W. long.;
44°45.64' N. lat., 124°33.89' W. long.;
44°33.00' N. lat., 124°36.88' W. long.;
44°28.21' N. lat., 124°44.72' W. long.;
44°13.17' N. lat., 124°56.36' W. long.;
43°56.34' N. lat., 124°55.74' W. long.;
43°56.47' N. lat., 124°34.61' W. long.;
43°42.73' N. lat., 124°32.41' W. long.;
43°30.93' N. lat., 124°34.43' W. long.;
43°17.45' N. lat., 124°41.16' W. long.;
43°7.04' N. lat., 124°41.25' W. long.;
43°3.45' N. lat., 124°44.36' W. long.;
43°3.90' N. lat., 124°50.81' W. long.;
42°55.70' N. lat., 124°52.79' W. long.;
42°54.12' N. lat., 124°47.36' W. long.;
42°44.00' N. lat., 124°42.38' W. long.;
42°38.23' N. lat., 124°41.25' W. long.;
42°33.03' N. lat., 124°42.38' W. long.;
42°31.90' N. lat., 124°42.04' W. long.;
42°30.09' N. lat., 124°42.67' W. long.;
42°28.28' N. lat., 124°47.08' W. long.;
42°25.22' N. lat., 124°43.51' W. long.;
42°19.23' N. lat., 124°37.92' W. long.;
42°16.29' N. lat., 124°36.11' W. long.;
42°5.66' N. lat., 124°34.92' W. long.;
42°0.00' N. lat., 124°35.27' W. long.;
42°0.16' N. lat., 124°34.70' W. long.;
41°47.04' N. lat., 124°27.65' W. long.;
41°32.92' N. lat., 124°28.79' W. long.;
41°10.12' N. lat., 124°20.50' W. long.;
40°51.37' N. lat., 124°23.39' W. long.;
40°40.73' N. lat., 124°30.37' W. long.;
40°36.05' N. lat., 124°37.09' W. long.;
40°32.64' N. lat., 124°38.48' W. long.;
40°23.30' N. lat., 124°31.60' W. long.;
40°23.93' N. lat., 124°28.05' W. long.;
40°21.99' N. lat., 124°24.01' W. long.;
40°21.10' N. lat., 124°27.87' W. long.;
40°18.67' N. lat., 124°25.99' W. long.;
40°19.05' N. lat., 124°22.53' W. long.;
40°15.02' N. lat., 124°25.76' W. long.;
40°16.55' N. lat., 124°34.01' W. long.;

and

40°10.03' N. lat., 124°21.12' W. long.

The DBCA is defined along its western boundary by straight lines connecting all of the following points in the order stated:

48°15.00' N. lat., 125°42.50' W. long.;
48°13.00' N. lat., 125°39.00' W. long.;
48°8.50' N. lat., 125°45.00' W. long.;
48°6.00' N. lat., 125°46.50' W. long.;
48°3.50' N. lat., 125°37.00' W. long.;
48°1.50' N. lat., 125°40.00' W. long.;
47°57.00' N. lat., 125°37.00' W. long.;
47°55.50' N. lat., 125°28.50' W. long.;
47°58.00' N. lat., 125°25.00' W. long.;
48°0.50' N. lat., 125°24.50' W. long.;
48°3.50' N. lat., 125°21.00' W. long.;
48°2.00' N. lat., 125°19.50' W. long.;
48°0.00' N. lat., 125°21.00' W. long.;
47°58.00' N. lat., 125°20.00' W. long.;
47°58.00' N. lat., 125°18.00' W. long.;

47°52.00' N. lat., 125°16.50' W. long.;
47°49.00' N. lat., 125°11.00' W. long.;
47°46.00' N. lat., 125°6.00' W. long.;
47°44.50' N. lat., 125°7.50' W. long.;
47°42.00' N. lat., 125°6.00' W. long.;
47°38.00' N. lat., 125°7.00' W. long.;
47°30.00' N. lat., 125°0.00' W. long.;
47°28.00' N. lat., 124°58.50' W. long.;
47°23.00' N. lat., 124°51.00' W. long.;
47°17.00' N. lat., 124°53.00' W. long.;
47°15.00' N. lat., 125°0.00' W. long.;
47°8.00' N. lat., 124°59.00' W. long.;
47°1.00' N. lat., 125°0.00' W. long.;
46°55.00' N. lat., 125°2.00' W. long.;
46°51.00' N. lat., 124°57.00' W. long.;
46°41.00' N. lat., 124°51.00' W. long.;
46°34.00' N. lat., 124°38.00' W. long.;
46°30.50' N. lat., 124°41.00' W. long.;
46°33.00' N. lat., 124°32.00' W. long.;
46°29.00' N. lat., 124°32.00' W. long.;
46°20.00' N. lat., 124°39.00' W. long.;
46°16.00' N. lat., 124°37.00' W. long.;
46°15.50' N. lat., 124°27.00' W. long.;
46°13.17' N. lat., 124°37.87' W. long.;
46°13.17' N. lat., 124°38.75' W. long.;
46°10.50' N. lat., 124°42.00' W. long.;
46°6.21' N. lat., 124°41.85' W. long.;
46°3.02' N. lat., 124°50.28' W. long.;
45°57.00' N. lat., 124°45.52' W. long.;
45°43.44' N. lat., 124°46.03' W. long.;
45°35.82' N. lat., 124°45.72' W. long.;
45°35.70' N. lat., 124°42.89' W. long.;
45°24.45' N. lat., 124°38.21' W. long.;
45°11.68' N. lat., 124°39.38' W. long.;
44°57.94' N. lat., 124°37.02' W. long.;
44°44.28' N. lat., 124°50.79' W. long.;
44°32.63' N. lat., 124°54.21' W. long.;
44°23.20' N. lat., 124°49.87' W. long.;
44°13.18' N. lat., 124°58.81' W. long.;
43°57.92' N. lat., 124°58.29' W. long.;
43°50.12' N. lat., 124°53.36' W. long.;
43°49.53' N. lat., 124°43.96' W. long.;
43°42.76' N. lat., 124°41.40' W. long.;
43°24.00' N. lat., 124°42.61' W. long.;
43°19.74' N. lat., 124°45.12' W. long.;
43°19.63' N. lat., 124°52.95' W. long.;
43°17.41' N. lat., 124°53.02' W. long.;
42°49.15' N. lat., 124°54.93' W. long.;
42°46.74' N. lat., 124°53.39' W. long.;
42°43.76' N. lat., 124°51.64' W. long.;
42°45.41' N. lat., 124°49.35' W. long.;
42°43.92' N. lat., 124°45.92' W. long.;
42°38.87' N. lat., 124°43.38' W. long.;
42°34.78' N. lat., 124°46.56' W. long.;
42°31.47' N. lat., 124°46.89' W. long.;
42°31.00' N. lat., 124°44.28' W. long.;
42°29.22' N. lat., 124°46.93' W. long.;
42°28.39' N. lat., 124°49.94' W. long.;
42°26.28' N. lat., 124°47.60' W. long.;
42°19.58' N. lat., 124°43.21' W. long.;
42°13.75' N. lat., 124°40.06' W. long.;
42°5.12' N. lat., 124°39.06' W. long.;
41°59.99' N. lat., 124°37.72' W. long.;
41°59.33' N. lat., 124°37.68' W. long.;
41°47.93' N. lat., 124°31.79' W. long.;
41°21.35' N. lat., 124°30.35' W. long.;
41°7.11' N. lat., 124°25.25' W. long.;
41°7.12' N. lat., 124°25.05' W. long.;
40°57.37' N. lat., 124°30.25' W. long.;

40°41.03' N. lat., 124°33.21' W. long.;
40°33.70' N. lat., 124°42.50' W. long.;
40°22.72' N. lat., 124°32.06' W. long.;
40°16.97' N. lat., 124°31.51' W. long.;
40°18.68' N. lat., 124°50.44' W. long.;
and

40°10.11' N. lat., 124°28.25' W. long.
The DBCA is closed to limited entry groundfish trawl fishing. Fishing with limited entry groundfish trawl gear is prohibited within the DBCA. It is unlawful to take and retain, possess, or land groundfish taken with limited entry groundfish trawl gear in the DBCA. Limited entry groundfish trawl vessels may transit through the DBCA, with or without groundfish on board, provided all groundfish trawl gear is stowed either: (1) below deck; or (2) if the gear cannot readily be moved, in a secured and covered manner, detached from all towing lines, so that it is rendered unusable for fishing. For the month of September 2002, all prohibitions that apply to the DBCA also apply to all waters inshore of the DBCA. These restrictions do not apply to Pacific whiting vessels using mid-water trawl gear to fish for their sector's primary whiting season allocation, as defined at 660.323(a)(3).

Dated: September 26, 2002.

William T. Hogarth,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 02-25077 Filed 10-1-02; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 011218304-1304-01; I.D. 092402C]

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 630 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the D season allowance of the pollock total allowable catch (TAC) for Statistical Area 630.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), October 2, 2002, until 2400 hrs, A.l.t., December 31, 2002.

FOR FURTHER INFORMATION CONTACT:

Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

Within any fishing year, overage or overage of a seasonal allowance may be added to or subtracted from subsequent seasonal allowances in a manner to be determined by the Administrator, Alaska Region, NMFS (Regional Administrator), provided that the sum of the revised seasonal allowances does not exceed 30 percent of the annual TAC apportionment for the Central and Western Regulatory Areas in the GOA (§ 679.20(a)(5)(ii)(C)). For 2002, 30 percent of the annual TAC for the Central and Western Regulatory Areas is 15,187 mt. For 2002, the Regional Administrator has determined that within each area for which a seasonal allowance is established, any overage or underage of harvest from the previous season(s) shall be subtracted from or added to the seasonal allowance of the following season provided that the resulting sum of seasonal allowances in the Central and Western Regulatory Areas does not exceed 15,187 mt in any single season. The D season allowance of the pollock TAC in Statistical Area 630 is 3,803 metric tons (mt) as established by an emergency rule implementing 2002 harvest specifications and associated management measures for the groundfish fisheries off Alaska (67 FR 956, January 8, 2002 and 67 FR 34860, May 16, 2002). The C season allowance in Statistical Area 630 was exceeded by 2,855 mt, therefore the Regional Administrator, in accordance with § 679.20(a)(5)(ii)(C), is reducing the D season pollock TAC in Statistical Area 630 by 2,855 mt to 948 mt.

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the D season allowance of the pollock TAC in Statistical Area 630 will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 908 mt, and is setting aside the remaining 40 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed

fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 630.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is contrary to the public interest. This requirement is contrary to the public interest as it would delay the closure of the fishery, lead to exceeding the TAC, and therefore reduce the public's ability to use and enjoy the fishery resource. The Assistant Administrator for Fisheries, NOAA, also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment. This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: September 26, 2002.

Virginia M. Fay,

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

[FR Doc. 02-25065 Filed 9-27-02; 4:12 pm]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 011218304-1304-01; I.D. 092602C]

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area (BSAI)

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

ACTION: Reallocation.

SUMMARY: NMFS is reallocating the projected unused amount of Pacific cod from vessels using trawl and jig gear to vessels using hook-and-line or pot gear