

recreational boats only as a throwable device" and add, in their place, the words "Approved for use on all recreational boats and on uninspected commercial vessels less than 40 feet in length not carrying passengers for hire by persons weighing (more than 90 lb., 50 to 90 lb., 30 to 50 lb., or less than 30 lb.); and in paragraph (a)(2), remove the words "Approved for use on all recreational boats less than 16 feet in length and all canoes and kayaks, and only as a throwable device on all other recreational boats" and add, in their place, the words "Approved for use on recreational boats only as a throwable device".

**§ 160.151-21 [Amended]**

82. In § 160.151-21(s), remove the words "After July 1, 1998,".

**§ 160.151-29 [Amended]**

83. In § 160.151-29 introductory text, remove the words "on or before July 1, 1998,".

**§ 160.151-31 [Amended]**

84. In § 160.151-31, in paragraph (g) introductory text, remove the words "On or before May 11, 1998," and capitalize the word "the" immediately following; and remove paragraph (h).

**§ 160.151-57 [Amended]**

85. In § 160.151-57(m)(3) introductory text, remove the words "On or before November 10, 1997," and capitalize the word "affix" immediately following.

**§§ 160.151-15, 160.151-17 and 160.151-57 [Amended]**

86. In addition to the amendments set forth above, in 46 CFR part 160, remove the words "On or before July 1, 1998," and capitalize the word immediately following each deleted phrase in the following places:

- (a) Section 160.151-15(j);
- (b) Section 160.151-17(a)(2) introductory text and (c); and
- (c) Section 160.151-57(m)(2).

**PART 164—MATERIALS**

87. The authority citation for part 164 continues to read as follows:

**Authority:** 46 U.S.C. 3306, 3703, 4302; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 164.012-12 [Amended]**

88. In § 164.012-12, remove the words "Underwriters' Laboratories, Inc. 207 East Ohio Street Chicago, IL 60611" and add, in their place, the words "Underwriters Laboratories, Inc., 333 Pfingston Road, Northbrook, IL 60062-2096.".

**PART 170—STABILITY REQUIREMENTS FOR ALL INSPECTED VESSELS**

89. The authority citation for part 170 continues to read as follows:

**Authority:** 3 U.S.C. 1333; 46 U.S.C. 2103, 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 170.175 [Amended]**

90. In § 170.175(c), remove the word "A7BS" and add, in its place, the word "ABS".

**PART 172—SPECIAL RULES PERTAINING TO BULK CARGOES**

91. The authority citation for part 172 continues to read as follows:

**Authority:** 46 U.S.C. 3306, 3703, 5115; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

**§ 172-020 [Amended]**

92. In § 172-020(a), remove the word "for" immediately preceding the words "the sources indicated" and add, in its place, the word "from".

**PART 199—LIFESAVING SYSTEMS FOR CERTAIN INSPECTED VESSELS**

93. The authority citation for part 199 continues to read as follows:

**Authority:** 46 U.S.C. 3306, 3703; 46 CFR 1.46.

**§ 199.110 [Amended]**

94. In § 199.110(f)(4), remove the word "man" and add, in its place, the word "may".

Dated: September 22, 1998.

**Joseph J. Angelo,**

*Acting Assistant Commandant for Marine Safety and Environmental Protection.*

[FR Doc. 98-25930 Filed 9-29-98; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**49 CFR Chapter X, Part 1249**

**Bureau of Transportation Statistics**

**49 CFR Chapter XI, Part 1420**

**RIN 2139-AA06**

**Reports of Motor Carriers; Redesignation of Regulations Pursuant to the ICC Termination Act of 1995**

**AGENCIES:** Bureau of Transportation Statistics (BTS) and Surface Transportation Board (STB), DOT.

**ACTION:** Final rule; redesignation.

**SUMMARY:** This document establishes a new chapter in the Code of Federal Regulations (CFR) for the BTS and transfers and redesignates regulations concerning reports of motor carriers, currently found in the STB's CFR chapter, to the BTS's new CFR chapter. The ICC Termination Act of 1995 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain of the ICC's functions and proceedings to either the STB or the Secretary of Transportation. As pertinent here, responsibility for the collection and dissemination of motor carrier financial information was transferred to the Secretary of Transportation, who has delegated that responsibility to the BTS. This action reflects that change.

**EFFECTIVE DATE:** This rule is effective September 30, 1998.

**FOR FURTHER INFORMATION CONTACT:** For BTS: David Mednick, K-2, 400 Seventh Street, SW., Washington, DC 20590; (202) 366-8871. For STB: Beryl Gordon, Deputy Director, Office of Proceedings, 1925 K St., NW., Washington, DC 20423; (202) 565-1600 [TDD for the hearing impaired: (202) 565-1695].

**SUPPLEMENTARY INFORMATION:** This document transfers the regulations for motor carrier finance reports, currently found in 49 CFR part 1249, and redesignates them as 49 CFR part 1420. The regulations at part 1249 were issued by the ICC. The ICCTA, Pub. L. 104-88, 109 Stat. 803 (1995) abolished the ICC and transferred certain functions and proceedings either to the STB or the Secretary of Transportation. As pertinent here, the motor carrier financial and operating data collection provisions of 49 U.S.C. 14123 were transferred to the Secretary of Transportation, and the Secretary has delegated the responsibility for these provisions to the BTS.

The regulations for motor carrier finance reporting, however, are still located in 49 CFR Chapter X, which have since been assigned for the use of the STB.<sup>1</sup> In order for BTS to modify these regulations, and for administrative clarity, these regulations are being transferred to 49 CFR Chapter XI, part 1420. This transfer and redesignation

<sup>1</sup> Other ICC regulations that were formerly located at 49 CFR chapter X, and that were transferred to the Secretary of Transportation by the ICCTA, were delegated to the Federal Highway Administration and have already been redesignated to another chapter. See *Motor Carrier Transportation; Redesignation of Regulations from the Surface Transportation Board Pursuant to the ICC Termination Act of 1995*, 61 FR 54706 (October 21, 1996).

will not result in any substantive changes to the regulations. It will have no effect on the proposed establishment of a negotiated rulemaking advisory committee, *Negotiated Rulemaking Committee to Revise the Motor Carrier Financial and Operating Data Collection Program*, 61 FR 64849 (Dec. 9, 1996).

This action makes no substantive changes to the motor carrier financial and operating data collection regulations. It simply provides notice to the public that certain regulations currently found in 49 CFR chapter X are being moved to 49 CFR chapter XI. Therefore, BTS believes that prior notice and opportunity to comment are unnecessary and that good cause exists to dispense with the 30-day delay in effective date requirement so that BTS may administer these regulations

**Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures**

This action is exempt from the Office of Management and Budget review under Executive Order 12866 since it is a technical correction that does not materially affect the substance of the underlying rule. This action simply transfers the regulations now located at 49 CFR part 1249 from Chapter X to Chapter XI and redesignates them as 49 CFR part 1420.

**Regulatory Flexibility Act**

The BTS certifies that this action will not have a significant economic effect on a substantial number of small entities. As noted above, this action simply redesignates the regulations for motor carrier finance reports, and it makes no substantive changes.

**Executive Order 12612 (Federalism Assessment)**

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

**Paperwork Reduction Act**

This action does not establish a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

**National Environmental Policy Act**

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

**List of Subjects**

*49 CFR Part 1249*

Motor carriers, Reporting and recordkeeping requirements.

*49 CFR Part 1420*

Motor carriers, Reporting and recordkeeping requirements.

Issued on: September 23, 1998.

**Robert A. Knisely,**

*Deputy Director, Bureau of Transportation Statistics.*

**Linda J. Morgan,**

*Chairman, Surface Transportation Board.*

In consideration of the foregoing and under the authority of 49 U.S.C. 111, 721(a), and 14123, the BTS establishes a new chapter XI in title 49 of the CFR, and the BTS and the STB hereby amend chapters X and XI of 49 CFR as set forth below:

1. Title 49 is amended by establishing chapter XI (consisting of subchapters A and B) to read as follows:

**CHAPTER XI—BUREAU OF TRANSPORTATION STATISTICS, DEPARTMENT OF TRANSPORTATION**

**SUBCHAPTER A—[RESERVED]**

**SUBCHAPTER B—REPORTS**

**PART 1420—REPORTS OF MOTOR CARRIERS**

**Chapter X, Part 1429—[Redesignated as Chapter XI, Part 1420]**

2. Part 1249 in 49 CFR Chapter X is redesignated as Part 1420 and transferred to 49 CFR Chapter XI.

[FR Doc. 98–26065 Filed 9–29–98; 8:45 am]

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