

(2) Maintain that speed until beginning the recovery performance stops at a distance of 1.5 km (0.93 mi) after the beginning of the fourth cooling stop.

**S7.16. Recovery performance.**

**S7.16.1. General information.** The recovery performance test is conducted immediately after completion of the brake cooling stops.

**S7.16.2. Vehicle conditions.**

(a) Vehicle load: GVWR only.

(b) Transmission position: In neutral.

**S7.16.3. Test conditions and procedures.**

(a) IBT: Temperature achieved at completion of cooling stops.

(b) Test speed: 100 km/h (62.1 mph).

(c) Pedal force: The pedal force shall not be greater than the average pedal force recorded during the shortest GVWR cold effectiveness stop.

(d) Wheel lockup: No lockup of any wheel for longer than 0.1 seconds allowed at speeds greater than 15 km/h (9.3 mph).

(e) Number of runs: 2 stops.

(f) Immediately after the fourth cooling stop, accelerate at the maximum rate to 100 km/h (62.1 mph).

(g) Maintain that speed until beginning the first recovery performance stop at a distance of 1.5 km (0.93 mi) after the beginning of the fourth cooling stop.

(h) If the vehicle is incapable of attaining 100 km/h, it is tested at the same speed used for the GVWR cold effectiveness test.

(i) Immediately after completion of the first recovery performance stop accelerate as rapidly as possible to the specified test speed and conduct the second recovery performance stop.

**S7.16.4. Performance requirements.**

The stopping distance,  $S$ , for at least one of the two stops must be within the following limits:

$$\frac{0.0386V^2}{1.50d_c} \leq S - 0.10V \leq \frac{0.0386V^2}{0.70d_c}$$

where  $d_c$  and  $V$  are defined in

S7.14.4(a).

**S7.17. Final Inspection.** Inspect:

(a) The service brake system for detachment or fracture of any components, such as brake springs and brake shoes or disc pad facings.

(b) The friction surface of the brake, the master cylinder or brake power unit reservoir cover, and seal and filler openings, for leakage of brake fluid or lubricant.

(c) The master cylinder or brake power unit reservoir for compliance with the volume and labeling requirements of S5.4.2 and S5.4.3. In

determining the fully applied worn condition, assume that the lining is worn to (1) rivet or bolt heads on riveted or bolted linings or (2) within 0.8 mm (1/32 inch) of shoe or pad mounting surface on bonded linings or (3) the limit recommended by the manufacturer, whichever is larger relative to the total possible shoe or pad movement. Drums or rotors are assumed to be at nominal design drum diameter or rotor thickness. Linings are assumed adjusted for normal operating clearance in the released position.

(d) The brake system indicators, for compliance with operation in various key positions, lens color, labeling, and location, in accordance with S5.5.

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**Ricardo Martinez,**

*Administrator.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 651

[Docket No. 950124025-5025-01; I.D. 122094A]

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#### Northeast Multispecies Fishery

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** NMFS issues this final rule to make corrections and clarifications to the regulations implementing Amendment 5 to the Northeast Multispecies Fishery Management Plan (FMP) and subsequent framework actions.

**EFFECTIVE DATE:** February 1, 1995, except for § 651.9(e)(36), amendments to § 651.20(b)(2)(ii), and § 651.20(c)(2)(ii), and § 651.20(c)(4) introductory text, which will be effective on June 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Bridgette S. Davidson, NMFS, Fishery Management Specialist, 508-281-9347.

**SUPPLEMENTARY INFORMATION:** The New England Fishery Management Council (Council) submitted Amendment 5 to the FMP to NMFS on September 27, 1993. Amendment 5, with some exceptions, was approved on January 3, 1994. The final rule for Amendment 5

was published on March 1, 1994 (59 FR 9872). This final rule makes several corrections and clarifications to the regulations and to subsequent amendments to the regulations—59 FR 9872, March 1, 1994; 59 FR 26972, May 25, 1994; 59 FR 36725, July 19, 1994; 59 FR 42176, August 17, 1994.

The definition of "sink gillnet" (§ 651.2) was modified in Framework Adjustment 4 to the FMP and is further clarified here. The definition is revised to clarify that a sink gillnet is a bottom-tending gillnet.

Section 651.4(f)(2)(iv) is modified to reflect the Council's intent. Although the preamble to the final regulations for Amendment 5 stated that vessel owners would be allowed to change their 1994 permit category within 30 days of receiving their permit, there was no specific language in the regulations prohibiting a change in category after that time during the initial fishing year. The Council did not intend for vessels to switch between days-at-sea (DAS) programs, except during the renewal process to receive a 1995 limited access multispecies permit. The regulations are modified accordingly.

Section 651.5 requires any operator of a vessel in possession of multispecies harvested from the exclusive economic zone to have an operator's permit. Recreational vessels that are exempt from a multispecies permit are also exempt from the operator's permit requirements. This exemption was inadvertently omitted from the final rule implementing Amendment 5. This final rule clarifies that only vessels that are required to have a multispecies permit are required to have an operator with an operator's permit.

The regulations implementing mesh obstruction and tie-up inadvertently had no correlated prohibitions. Section 651.9(b)(11) and (e)(36) are added by this final rule to address this omission; however, the prohibition at § 651.9(e)(36) will be effective beginning June 11, 1995, due to the emergency action published in the **Federal Register** on (59 FR 63926, December 12, 1994), which temporarily added prohibitions to that section. The emergency action is effective through March 12, but the Council is expected to vote to extend the emergency for an additional 90 days, i.e., through June 11, 1995. If the emergency action is not extended, NMFS will publish a notice to modify the effective date of this rule.

In order to reflect more accurately the prohibition at § 651.9(b)(1), the word "accruing" is replaced with "using" when discussing a vessel using all of its annual DAS allocation.