

2. Section 95.617 is amended by revising paragraph (b) to read as follows:

**§ 95.617 Emission limitations.**

(b) The authorized emission bandwidth of any transmitter:

(1) In the Radio Control Service shall be 8 kHz unless single sideband modulation is used in which case bandwidth shall be 4 kHz;

(2) In the Citizens Radio Service, employing amplitude modulation, shall be 8 kHz for double sideband and 4 kHz for single sideband;

(3) In the General Mobile Radio Service, employing frequency modulation or phase modulation shall be 20 kHz.

[FR Doc. 82-31512 Filed 11-17-82; 8:45 am]

BILLING CODE 6712-01-M

**47 CFR Part 73**

[BC Docket No. 82-467; RM-4127]

**Radio Broadcast Services; FM Broadcast Station in Mountain Home, Arkansas; Changes Made in Table of Assignments**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This action assigns a third FM channel to Mountain Home, Arkansas, in response to a petition filed by Baker Broadcasting Company.

**DATE:** Effective January 7, 1983.

**ADDRESS:** Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

**SUPPLEMENTARY INFORMATION:**

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

**Report and Order—Proceeding Terminated**

Adopted: November 2, 1982.

Released: November 8, 1982.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations (Mountain Home, Arkansas), BC Docket No. 82-467; RM-4127.

1. In response to a petition filed by Baker Broadcasting Company ("petitioner"), the Commission adopted a Notice of Proposed Rule Making, 47 FR 33285, published August 2, 1982, proposing the assignment of Class C Channel 298 to Mountain Home,

Arkansas. Supporting comments were filed by the petitioner reaffirming that it will apply for the channel, if assigned. Comments were also filed by Jack G. Hunt, applicant for Channel 296A at Birch Tree, Missouri.

2. Hunt comments that his engineering study indicates that a site restriction of 14.48 miles east southeast of Mountain Home is needed to comply with the minimum distance requirement for the Birch Tree assignment.<sup>1</sup> He confirms that acceptable coverage can be provided over the community from the petitioner's suggested site. Hunt adds that he supports the proposed assignment subject to a site restriction protecting Channel 296A at Birch Tree.

3. After consideration of the proposal and comments, we are satisfied that the public interest would be served by the proposed assignment which would provide Mountain Home with its third FM station. A site restriction of 15.7 miles southeast of the city is required (without rounding off) to avoid short spacing to Station KNIB in Poteau, Oklahoma, and the pending application for Channel 296A at Birch Tree, Missouri.

4. In view of the above and pursuant to authority contained in Sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and §§ 0.281(b) and 0.204(b), It Is Ordered, That effective in 1982, the FM Table of Assignments, § 73.202(b) of the Commission's Rules is amended with regard to the following community:

City	Channel No.
Mountain Home, Ark.....	252A, 288A, and 298.

5. It is further ordered, That this proceeding Is Terminated.

6. For further information concerning this proceeding, contact Montrose H. Tyree, Broadcast Bureau (202) 632-7792. (Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

**Roderick K. Porter,**  
Chief, Policy and Rules, Broadcast Bureau.

[FR Doc. 82-31509 Filed 11-17-82; 8:45 am]

BILLING CODE 6712-01-M

<sup>1</sup> Site restrictions imposed by the Commission are based on stations meeting the minimum spacing requirements, which can be rounded off. Hunt's study is based on distances of 149.9 miles instead of 150 miles for the first adjacent channels and 64.7 miles instead of 65 miles for the second adjacent channels.

**47 CFR Part 73**

[BC Docket No. 82-485; RM-4125]

**Radio Broadcast Services; FM Broadcast Station in Webb City, Missouri; Changes Made in Table of Assignments**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** Action taken herein assigns Channel 232A to Webb City, Missouri, in response to a petition filed by Don Stubblefield ("petitioner"). The assigned channel could provide a first local FM service to Webb City.

**DATE:** Effective January 7, 1982.

**ADDRESS:** Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

**SUPPLEMENTARY INFORMATION:**

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Statistics (Webb City, Missouri) BC Docket No. 82-485, RM-4125.

**Report and Order—Proceeding Terminated**

Adopted: November 1, 1982.

Released: November 8, 1982.

1. The Commission has under consideration a Notice of Proposed Rule Making, 47 FR 34602, published August 10, 1982, proposing the assignment of Channel 232A to Webb City, Missouri, as that community's first FM assignment, in response to a petition filed by Don Stubblefield ("petitioner"). Petitioner file comments in support of the proposal and reaffirmed his interest in applying for the channel, if assigned. A site restriction of 6.7 miles north-northwest of the city is required at Webb City. No oppositions to the proposal were received.

2. The Commission has determined that the public interest would be served by assigning Channel 232A to Webb City, Missouri, since it would provide a first local FM service to that community.

3. Accordingly, pursuant to the authority contained in sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and sections 0.204(b) and 0.281 of the Commission's Rules, it is ordered, That effective January 7, 1983, § 73.202(b) of the Commission's Rules is

amended with respect to the following community:

City	Channel No.
Webb City, Missouri.....	292A

4. It is further ordered, That this proceeding is terminated.

5. For further information contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 82-31510 Filed 11-17-82; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[BC Docket No. 82-321; RM-4051]

#### Radio Broadcast Services; FM Broadcast Station in Canyon, Texas; Changes Made in Table of Assignments

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This action assigns FM Class C Channel 300 to Canyon, Texas, and retains Channel 296A in that community, in response to requests by Canyon Broadcasting, Inc. and James A. Speegle.

**DATE:** Effective January 7, 1983.

**ADDRESS:** Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Philip S. Cross, Broadcast Bureau, (202) 632-5414.

#### SUPPLEMENTARY INFORMATION:

##### List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the Matter of Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations (Canyon, Texas) BC Docket No. 82-321, RM-4051.

#### Report and Order—Proceeding Terminated

Adopted: November 1, 1982.

Released: November 8, 1982.

1. The Commission has under consideration its Notice of Proposed Rule Making, 47 FR 27385, published June 24, 1982. The Notice was issued in response to a petition filed by Canyon Broadcasting, Inc. ("petitioner"), licensee of Stations KHBQ(AM) and KHBQ(FM) (Channel 296A), Canyon,

Texas. Petitioner requested the substitution of Class C FM Channel 300 for FM Channel 296A in Canyon and modification of the license of Station KHBQ to specify operation on Channel 300.

2. Petitioner stated that the city limits of Canyon and Amarillo are only 9.4 miles apart and that its station provides principal city coverage to Amarillo, Texas. Petitioner further stated that all of the FM stations in Amarillo are Class C stations and that for Station KHBQ to be viable and effectively complete with them, it needs to be upgraded from a Class A to a Class C channel.

3. In response to the Notice, James R. Speegle ("Speegle") filed comments supporting the proposal to assign Channel 300 to Canyon. However, Speegle stated that since he intends to apply for such a facility, "there should be no modification of the license of Station KHBQ(FM) to specify operation on Channel 300."

4. Petitioner filed comments in which it asked to withdraw its request for assignment of Channel 300 to Canyon, Texas, so as not to jeopardize its existing operation on Channel 296A, even though there is no technical conflict in the operation of stations on both Channels 296A and 300 in Canyon. Speegle points out that petitioner's reliance on the case of *Statesboro, Georgia*, 40 RR 2d 1021 (1977), is misplaced. Speegle states that *Statesboro, Georgia*, allowed the petitioner to withdraw its proposal (Channel 260) because an assignment of the Class C channel in that case would have required the deletion of the Class A assignment (Channel 261A) previously licensed to the petitioner.

5. The assignment of Channel 300 to Canyon would not preclude retaining Channel 296A. Therefore, petitioner would not risk losing its existing license in a comparative hearing if Channel 300 were assigned to Canyon. Prior to the adoption of *Revision of FM Assignment Policies and Procedures*, 90 F.C.C. 2d 88 (1982), the assignment of Channel 300 to Canyon with the retention there of Channel 296A would have violated the Commission's policy against intermixture of classes of channels. However, in *Revision of FM Assignment Policies and Procedures*, *supra*, the Commission decided to eliminate this policy. Thus, this policy change removed the only reason against assigning Channel 300 to Canyon. Since there is another party interested in applying for Channel 300 and since the Commission has no policy objections to assigning Channel 300 while retaining Channel 296A, petitioner's request to withdraw its proposal is denied. See *Appomattox*

and *Farmville, Virginia*, 51 RR 2d 1397 (1982). Therefore, we will add Channel 300 to Canyon and retain Channel 296A in that community. Petitioner will have the option to continue as licensee of Channel 296A or apply for Channel 300.

6. Authority for the adoption of the amendment herein is contained in Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.204(b) and 0.281 of the Commission's Rules.

7. Accordingly, it is ordered, That effective January 7, 1983, the FM Table of Assignments, § 73.202(b) of the Commission's rules, is amended with regard to the following community:

City	Channel No.
Canyon, Texas.....	296A, 300

8. It is further ordered, That this proceeding is terminated.

9. For further information concerning the above, contact Philip S. Cross, Broadcast Bureau, (202) 632-5414.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 82-31508 Filed 11-17-82; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 90

[PR Docket No. 79-191; RM-3380; PR Docket No. 79-334; RM-3691; PR Docket No. 79-107; PR Docket No. 81-703]

#### Private Land Mobile Radio Services; Amendment of the Commission's Rules To Release Spectrum in Certain MHz Bands and To Adopt Rules Governing Their Use; and Amendment To Facilitate Authorization of Wide-Area Mobile Radio Communications Systems; and Inquiry Concerning the Multiple Licensing of 800 MHz Radio Systems; and Amendment To Allow Transmission of Nonvoice Signals at 800 MHz; Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains certain corrections to both the text and Appendix of the Second Report and Order in PR Docket 79-191, 47 FR 41002, September 16, 1982, concerning amendment of Part 90 of the Commission's Rules to release spectrum in the 806-821/851-866 MHz bands for

private land mobile radio services and to adopt rules which govern their use.

**FOR FURTHER INFORMATION CONTACT:** Eugene Thomson, Private Radio Bureau, (202) 634-2443.

**SUPPLEMENTARY INFORMATION:**  
Released: November 8, 1982.

In the matter of an amendment of Part 90 of the Commission's Rules to release spectrum in the 806-821/851-866 MHz bands and to adopt rules and regulations which govern their use; PR Docket No. 79-191, RM-3380; amendment of Part 90 of the Commission's Rules to facilitate authorization of wide-area mobile radio communications systems; PR Docket No. 79-334, RM-3691; an Inquiry concerning the multiple licensing of 800 MHz radio systems ("community repeaters"); PR Docket No. 79-107; Amendment of § 90.385(c) of the Commission's Rules to allow transmission of non-voice signals at 800 MHz; PR Docket No. 81-703; erratum.

The Second Report and Order in the above captioned proceeding was released by the Commission on August 16, 1982. It was printed in the *Federal Register* on September 16, 1982, 47 FR 41002. An erratum was released on August 26, 1982, (FCC Mimeo 32012) (September 16, 1982; 47 FR 41045). A second erratum was released on September 28, 1982 (FCC Mimeo 32105). This third erratum makes additional corrections in both the text and Appendix of the item.

1. In the text, the table in paragraph 186 should be changed to read as follows:

Category	Border area offset channels
Public Safety/Special Emergency	55
Industrial/Land Transportation	40
Business	40
SMRS	65
Total	200

2. In the text, add the following sentence to the end of paragraph 187: "—of the Rules. All frequencies are considered new spectrum and are subject to the new rules set out in Subpart S."

**§ 90.617 [Corrected]**

3. In the Appendix, § 90.617(a), change the last sentence to read: "These frequencies are available in areas further than 110 km (68.4 miles) from the U.S./Mexico border and 160 km from the U.S./Canada border."

**§ 90.629 [Corrected]**

4. In § 90.629(a)(1), add the word "or" after "—construction;"

**§ 90.651 [Corrected]**

5. § 90.651(c), change the first sentence to read: "Licensees of conventional systems must report the number of mobile units placed in operation within 8 months of the date of the grant of their license".

**§ 90.657 [Corrected]**

6. In § 90.657, in the last sentence change the word "feel" to "feet".

**§ 90.437 [Corrected]**

7. In § 90.437(d), change "§ 90.393" to "§ 90.390".

**§ 90.213 [Corrected]**

8. In § 90.213(a), in the Frequency Tolerance Table, change all references from footnote 15 to footnote 16. Also in the Column "Mobile Stations, over 2 W output power", for the frequency range 851-866 MHz, change the tolerance from ".00015" to ".00025".

**§§ 90.617 and 90.619 [Corrected]**

9. Add the following sentence to the end of §§ 90.617(a), 90.617(b), 90.619(a)(1), and 90.619(a)(2): "Specialized Mobile Radio Systems (SMRS) will not be authorized in this category".

**§ 90.619 [Amended]**

10. Add a new § 90.619(b)(7)(iii) to read as follows:

(b) \* \* \*

(iii) The Public Safety Category consists of the Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation and Special Emergency Radio Services. The Industrial/Land Transportation Category consists of the Power, Petroleum, Forest Products, Motion Picture, Relay Press, Special Industrial, Manufacturers, Telephone Maintenance, Motor Carrier, Railroad, Taxicab, and Automobile Emergency Radio Services. The Business Radio Category consists of the Business Radio Service. Specialized Mobile Radio Systems (SMRS) will not be authorized in any of the above mentioned categories, but only in the SMRS Category to those applicants eligible under § 90.603(c).

Federal Communications Commission,  
William J. Tricarico,  
Secretary.

[FR Doc. 82-31511 Filed 11-17-82; 8:45 am]  
BILLING CODE 6712-01-M

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 571**

[Docket No. 81-16; Notice 2]

**Federal Motor Vehicle Safety Standards; Motor Vehicle Lighting**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.  
**ACTION:** Final rule.

**SUMMARY:** This notice amends Motor Vehicle Safety Standard No. 108 to substitute SAE Standard J594f for J594e as the referenced standard on reflex reflectors. This amendment is in response to a petition for rulemaking submitted by Motor Vehicle Manufacturers Association (MVMA). A notice of proposed rulemaking was published on October 13, 1981 (46 FR 50396). The effect of the amendment is to increase the diameter of the circumscribing circle for the photometric test from 7 to 10 inches.

**DATE:** Effective date is December 20, 1982.

**FOR FURTHER INFORMATION CONTACT:** Kevin Cavey, Avoidance Division, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202-426-2153).

**SUPPLEMENTARY INFORMATION:** Standard No. 108 requires that reflex reflectors be designed to conform to SAE standard J594e *Reflex Reflectors*, March 1970. Section J "Photometry" of the Standard specifies that "reflex reflectors may have any linear or area dimensions, but for the photometric test a maximum of 12 square inches contained within a 7 inch diameter circle shall be exposed." In January 1977 the SAE adopted J594f which increased the diameter of the test circle to 10 inches. MVMA petitioned the agency to substitute J594f as the referenced standard on reflex reflectors arguing that it will relieve a design restriction and permit greater latitude in reflector design with no decrease in safety performance.

Specifically, MVMA noted that the increase in minimum requirements for lens area of rear turn signal lamps from 3.5 to 8 inches adopted by NHTSA in 1976 has resulted in increased use of reflex material in the form of horizontal or vertical strips as well as material incorporated within the lenses. But some types of designs are prohibited by current requirements that would be allowable when 12 square inches of reflex material are circumscribed by a

circle with a diameter increased from 7 to 10 inches. The performance requirements of this reflective material itself would remain unchanged.

In the proposal NHTSA pointed out the following additional differences between the two standards. The option of using visual measurements for determining photometric performance will be eliminated. This change will result in a greater comparability of test results between manufacturers and NHTSA, which uses photometric rather than visual measurements, thus reducing the likelihood of disagreements when agency tests indicate photometric performance does not meet the standard. In addition, a new Table I is provided, "Minimum Milli-candelas per Incident Lux for Red Reflex Reflectors", the current table becoming "1A". The new table is the equivalent of the old in metric units. Either table may be used, a fact not made clear by J594f.

Nine comments were received on the proposal, all of whom supported it. The majority approved of the removal of a design restriction. The Traffic Control Materials Division of 3M Corporation suggested updating Federal Specification L-S-300 which has been revised three times since September 1965, the version cited in S4.1.1.4. However, because such an amendment was beyond the scope of the original proposal and the public has not had an opportunity to comment upon it, this recommendation was not adopted.

The agency's preliminary examination has shown that this rulemaking action is not a major regulation under Executive Order 12291 "Improving Government Regulations," or a significant regulation under the Department's regulatory policies and procedures, and that a regulatory impact analysis is not required. Further, the costs impacts will be so minimal that preparation of a full regulatory evaluation is not warranted. Amendment of the standard will impose no additional manufacturer requirements but will allow producers flexibility to adopt reflex material designs that are now precluded by the current requirements of Standard No. 108. The cost savings resulting from taking advantage of that flexibility would be insubstantial. Although visual measurements for determining photometric conformance will be eliminated, the cost of substituting photometric measures should be minimal. NHTSA believes that most manufacturers, as the best assurance of compliance, have relied on photometric measurements in the past.

The agency has also considered the impacts of this amendment in relation to the Regulatory Flexibility Act. NHTSA

certifies that amending Standard No. 108 to increase the diameter of the circumscribing circle for the photometric tests of reflex reflectors would not have a significant economic effect on a substantial number of small entities. Accordingly, no initial regulatory flexibility analysis has been prepared. Based on available information, the agency believes that few, if any, of the manufacturers of reflex reflectors are small businesses as that term is defined for purposes of the Flexibility Act. Small organizations and governmental jurisdictions which purchase fleets of motor vehicles would probably not be significantly affected. The difference in cost of vehicles equipped with current reflex reflectors and those permitted by the amendment would be insubstantial at most.

Because the amendment relieves a restriction and imposes no additional burden, it is hereby found for good cause shown that an effective date less than 180 days is in the public interest.

NHTSA has analyzed this amendment for the purposes of the National Environmental Policy Act. The agency has determined that implementation of this action would not have any significant impact on the human environment.

#### List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

#### PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

In consideration of the foregoing, 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, is amended as follows:

##### § 571.108 Standard No. 108; Lamps, reflective devices, and associated equipment.

1. Paragraph S4.1.1.4 is revised to read:

\* \* \* \* \*

S4.1.1.4 Reflective material conforming to Federal Specification L-S-300, "Sheeting and Tape, Reflective; Non-exposed Lens, Adhesive Backing," September 7, 1965, may be used for side reflex reflectors if this material as used on the vehicle, meets the performance standards in either Table I or Table IA of SAE Standard J594f, "Reflex Reflectors", January 1977.

\* \* \* \* \*

2. The first sentence of paragraph S5.1 is amended as follows:

\* \* \* \* \*

S 5.1 SAE Standards and Recommended Practices subreferenced

by the SAE Standards and Recommended Practices included in Tables I and III and paragraphs S4.1.4 and S4.5.1 are those published in the 1970 edition of the SAE Handbook, except that the SAE standard referred to as "J575" is J575e, *Tests for Motor Vehicle Lighting Devices and Components*, August 1970, for tail lamps, stop lamps, turn signal lamps, and reflex reflectors designed to conform, respectively, to SAE Standards J585d, J586c, J588e, and J594e. \* \* \*

3. In Table I, under the column headed "Item", the term "intermediate reflex reflectors" is revised to read "intermediate side reflex reflectors."

4. Table I and Table III are revised to substitute "J594f, January 1977" in the column headed "Applicable SAE standard or recommended practice" as the referenced standard for reflex reflectors, and intermediate side reflex reflectors.

The program official and attorney responsible for developing this proposal are Kevin Cavey and Taylor Vinson, respectively.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.50)

Issued on November 9, 1982

Raymond A. Peck, Jr.,  
Administrator.

[FR Doc. 82-31286 Filed 11-17-82; 8:45 am]

BILLING CODE 4910-59-M

#### 49 CFR Part 580

[Docket No. 81-13; Notice 2]

#### Odometer Disclosure Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This rule amends 49 CFR Part 580 to exempt from the Odometer Disclosure Requirements all sales of new motor vehicles by a motor vehicle manufacturer directly to any agency of the United States. The purpose of this exemption, which is being issued pursuant to a petition by General Motors Corporation, is to relieve manufacturers of the burden of complying with this requirement.

**EFFECTIVE DATE:** December 20, 1982.

**FOR FURTHER INFORMATION CONTACT:** Kathleen DeMeter, Office of the Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202-426-1834).