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V-W-X-Y-Z

[FR Doc. 84-25678 Filed 9-26-84; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Parts 73 and 74

Oversight of the Radio and TV Broadcast Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order amends broadcast station regulations in Parts 73 and 74 of the rules of the FCC. Amendments are made to delete regulations that are no longer necessary, correct inaccurate rule texts, contemporize certain requirements and to execute editorial revisions as needed for purposes of clarity and ease of understanding.

EFFECTIVE DATE: September 27, 1984.

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

FOR FURTHER INFORMATION CONTACT: Steve Crane, (202) 632-5414, Mass Media Bureau.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Parts 73 and 74

Radio and TV Broadcasting.
Order

In the matter of oversight of the radio and TV broadcast rules.

Adopted: September 13, 1984.

By the Chief, Mass Media Bureau.

Released: September 18, 1984.

1. In this Order, the Commission focuses its attention on the oversight of its radio and TV broadcast rules. Modifications are made herein to update, delete, clarify or correct broadcast regulations as described in the following amendment summaries:

(a) With the adoption of the Report and Order eliminating operating and maintenance logs, § 73.69, Antenna monitors, was revised (BC Docket 82-537, 48 FR 38473, August 24, 1983.) In paragraph (b), several inapt or incorrect terms are used: "derivations" should be "deviations"; "must be determined" should be "are determined." Corrections are made herein. (See appendix item 1.)

(b) For some time the FCC has been converting its standards to the metric system. Some rule sections direct parties to use non-metric figures to certain date and after such date to use metric units. Such a "before and after date" directive is found in § 73.181(f)(1). Since the effective date to use metric data as stated in that subparagraph is long past, reference to use of non-metric in a pre-date period is excised from the rule. (See appendix item 2.)

(c) In paragraph (a) § 73.315, the symbol for microvolts (as in $\mu\text{V/m}$) is incorrectly used in place of the correct designated of millivolts (mV/m). Correction is made via this Order. (See appendix item 3.)

(d) In the Report and Order amending the FM rules concerning use of Subsidiary Communications Authorizations, § 73.319 was entirely revised and retitled FM multiplex subcarrier technical standards. BC Docket 82-536, 48 FR 28445, June 22, 1983. In subparagraph (d)(1) of § 73.319, extra, meaningless text was introduced. In pertinent part it stated "... arithmetic sum of all subcarriers above 75 kHz may not exceed the *carrier by more than 10%, . . .*". The underlined is the incorrect text, and is excised from the rule herein. (See appendix item 4.)

(e) In the 2nd Report and Order adopted in Docket No. 21323, Use of Subcarrier Frequencies in the Aural Baseband on TV Transmitters, a new definition, Multichannel Television Sound was added to § 73.681. The definition is incorrectly stated in part by failing to use the word "signal" in the term "... video portion of the television signal. . . .". It is added herein. (See appendix item 5.)

(f) Permittees of non-directional AM and FM stations (and either directional or non-directional TV stations) may begin program tests after completion of construction upon notification to the FCC in Washington (followed, within 10 days, by filing application for license).

Permittees of AM and FM stations with directional antenna systems must file application for license requesting program test authority at least 10 days prior to the start of such tests.

The program test rule, § 73.1620, states that a proof of performance must also be filed with the program test request from an AM applicant with directional antenna. So must the directionalized FM applicant, the directive to file such proofs being part of the terms and conditions of the construction permit. Via this Order, the requirement to file the FM proof of performance is, for

purposes of clarity, stated in the rule. (See appendix item 6.)

(g) With the adoption of the Report and Order pertaining to hours of operation of daytime-only AM stations, § 73.99 was completely revised, including changing the section title to "Pre-sunrise service authorization (PSRA) and Post-Sunset service authorization (PSSA)". Report and Order in BC Docket 82-538, 48 FR 42944, September 20, 1983. Reference is made to § 73.99 in Subpart H, § 73.1735, using the old section title, and the old text which reflects the terms of § 73.99 prior to the above mentioned revisions. The section title and text of § 73.1735 are revised herein to conform to the changes in § 73.99 adopted in the Report and Order in BC Docket 82-538. (See appendix item 7.)

(h) There is a typographical error in the section title of § 73.3533. The last three words read ". . . by construction permit." It is corrected to read ". . . of construction permit." (See appendix item 8.)

(i) The statement "when an application for renewal of license is 'designed' for hearing. . . ." is found in paragraph (e) of § 73.3594. The verb should, of course, be "designated" and is corrected herein. (See appendix item 9.)

(j) The following FCC Policy listings are added or revised in Subpart H of Part 73:

(i) Memorandum Opinion and Order regarding loud commercials.

(ii) Commission Policy Regarding the Advancement of Minority Ownership in Broadcasting.

(iii) Report and Order regarding FCC Interpretation of 47 U.S.C. 315(a). (See appendix items 10, 11 and 12.)

(k) A requirement as stated in § 74.467, Posting of licenses [at remote broadcast pickup stations] has raised a few smiles as well as sober questions. In paragraph (c) of the rule, a required display (giving call sign, associated, etc.) must be affixed to the transmitter housing or antenna supporting structure in such a way as to be visible to a person standing on the *group* at the transmitter. We terminate such questions as, "how many must be in the *group*?" "may it be a mixed *group*", etc., by correcting "group" to read "ground" in this Order. (See appendix item 13.)

(l) Subpart F of Part 74 pertains to TV auxiliary stations such as pickup stations; studio-transmitter links (STL's); TV relay stations and translator relay stations. Such stations are variously described as either TV Auxiliary Broadcast Stations or TV Broadcast Auxiliary Stations, the latter being correct. Some time in the past it was

decided, since the stations are not broadcast stations but auxiliaries to broadcast stations, to denominate the service accurately as TV Broadcast Auxiliary Stations. Correction changes have been made within the Subpart; correcting the Subpart title has been overlooked. Such correction is effected in this Order. (See appendix item 14.)

2. No substantive changes are made herein which impose additional burdens or remove provisions relied upon by licensees or the public. We conclude, for the reasons set forth above, that these revisions will serve the public interest.

3. These amendments are implemented by authority designated by the Commission to the Chief, Mass Media Bureau. Inasmuch as these amendments impose no additional burdens and raise no issue upon which comments would serve any useful purpose, prior notice of rule making, effective date provisions and public procedure thereon are unnecessary pursuant to the Administrative Procedure and Judicial Review Act provisions of 5 U.S.C. 553(b)(3)(B).

4. Since a general notice of proposed rulemaking is not required, the Regulatory Flexibility Act does not apply.

5. Therefore, it is ordered, That pursuant to sections 4(i), 303(r) and 5(c)(1) of the Communications Act of 1934, as amended, and §§ 0.61 and 0.283 of the Commission's Rules, Parts 73 and 74 of the FCC Rules and Regulations are amended as set forth in the attached appendix, effective on the date of publication in the **Federal Register**.

6. For further information on this Order, contact Steve Crane, (202) 632-5414, Mass Media Bureau.

Federal Communications Commission.

James C. McKinney,
Chief, Mass Media Bureau.

Appendix

PART 73—[AMENDED]

1. 47 CFR 73.69 is amended by revising paragraph (b) to read as follows:

§ 73.69 Antenna monitors.

(b) In the event an antenna monitor becomes defective, the station may be operated without the monitor pending its repair or replacement for a period not in excess of 60 days without further authority from the FCC, if the base currents, their ratios, and the deviations of those ratios, in percent, from the values specified in the station authorization are determined for each radiation pattern used.

2. 47 CFR 73.181 is amended by revising paragraph (f)(1) to read as follows.

§ 73.181 Introduction to AM technical standards.

(f) * * *

(1) Parties submitting directional antenna patterns pursuant to §§ 73.150 and 73.152 (standard patterns and modified standard patterns) must submit patterns which are tabulated and plotted using units of millivolts per meter at one kilometer.

3. 47 CFR 73.315 is amended by revising paragraph (a) to read as follows:

§ 73.315 Transmitter location.

(a) The transmitter location shall be chosen so that, on the basis of the effective radiated power and antenna height above average terrain employed, a minimum field strength of 70 dB above one $\mu\text{V/m}$ (dBu), or 3.16 mV/m, will be provided over the entire principal community to be served.

4. 47 CFR 73.319 is amended by revising paragraph (d)(1) to read as follows:

§ 73.319 FM multiplex subcarrier technical standards.

(d) * * *

(1) During monophonic program transmissions, modulation of the carrier by the arithmetic sum of all subcarriers above 75 kHz may not exceed 10%, and modulation of the carrier by the arithmetic sum of all subcarriers may not exceed 30%, referenced to 75 kHz deviation.

5. 47 CFR 73.681 is amended by revising the definition *Multichannel Television Sound (MTS)* to read as follows:

§ 73.681 Definitions.

Multichannel Television Sound (MTS). Any system of aural transmission that utilizes aural baseband operation between 15 kHz and 120 kHz to convey information or that encodes digital information in the video portion of the television signal that is intended to be decoded as audio information.

6. 47 CFR 73.1620 is amended by revising paragraph (a)(2) to read as follows:

§ 73.1620 Program tests.

(a) * * *

(2) The permittee of an AM or FM station with a directional antenna system must file an application for license requesting program test authority with the FCC in Washington, D.C. at least 10 days prior to the date on which it desires to begin program tests. Also, an antenna proof of performance must be filed with the request by an AM or FM station with a directional antenna.

* * *

7. 47 CFR 73.1735 is revised to read as follows:

§ 73.1735 Pre-sunrise service authorization (PSRA) and Post-Sunset service authorization (PSSA).

Licensees of certain classes of AM stations are eligible to request pre-sunrise service authorization and post-sunset service authorization pursuant to the requirements of § 73.99.

8. 47 CFR 73.3533 is amended by revising the section title to read as follows:

§ 73.3533 Application for construction permit or modification of construction permit.

9. 47 CFR 73.3594 is amended by revising paragraph (e) introductory text to read as follows:

§ 73.3594 Local public notice of designation for hearing.

* * *

(e) When an application for renewal of license is designated for hearing, the notice shall contain the following additional statements:

* * *

10. 47 CFR 73.4075 is revised to read as follows:

§ 73.4075 Commercials, loud.

See Memorandum Opinion and Order, BC Docket 79-168, FCC 84-300, adopted June 27, 1984. 49 FR 28077, July 10, 1984.

11. 47 CFR 73.4140 is amended by adding new paragraph (c) to read as follows:

§ 73.4140 Minority ownership; tax certificates and distress sales.

* * *

(c) See Policy Statement, FCC 82-523, adopted December 2, 1982. 48 FR 5943, February 9, 1983.

12. 47 CFR 73.4185 is amended by designating the present text as paragraph (a) and by adding new paragraph (b) to read as follows:

§ 73.4185 Political broadcasting and telecasting, the law of.

* * *

(b) See Report and Order, BC Docket 82-564, FCC 83-529 adopted November 8, 1983. 95 FCC 2d 1236; 48 FR 53166, November 25, 1983.

13. 47 CFR 74.467 is amended by revising paragraph (c) to read as follows:

§ 74.467 Posting of licenses.

* * *

(c) If the station is authorized to operate as an automatic relay station, and is operated at an unattended site, the call sign and location of the associated broadcast station or stations or network, together with the legend "Automatic Relay Station," shall be displayed at the relay transmitter site. The required display shall be affixed to the transmitter housing or antenna supporting structure so as to be visible to a person standing on the ground at the transmitter site, or if the transmitting facilities are installed on the roof of a building the required display must be visible to a person standing on the roof. The display shall be prepared by the licensee so as to withstand normal weathering and be legible at all times.

PART 74—[AMENDED]

14. 47 CFR Subpart F, Part 74 is amended by revising the subpart heading to read as follows:

Subpart F—Television Broadcast Auxiliary Stations

[FR Doc. 84-25680 Filed 9-26-84; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 90

[PR Docket No. 83-991; FCC 84-414]

Elimination of Outdated or Unnecessary Rules in the Private Land Mobile Radio Services**Correction**

In FR Doc. 84-24398 beginning on page 36373 in the issue of Monday, September 17, 1984, make the following correction:

On page 36377, third column, item 20., fifth entry under *Sections*, "90.63(a)(2)" should read "90.63(f)(2)".

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****49 CFR Parts 171, 172, 173, 175 and 178**

[Docket No. HM-189B; Amdt. Nos. 171-79, 172-94, 173-178, 175-31, 178-80]

Editorial Corrections, and Clarifications

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

ACTION: Final rule

SUMMARY: The purpose of these amendments to the Hazardous Materials Regulations (HMR) is to correct certain editorial errors, and to make minor regulatory changes which will not impose any new requirements on persons subject to the HMR.

EFFECTIVE DATE: September 30, 1984.

FOR FURTHER INFORMATION CONTACT:

Thomas G. Allan, Exemptions and Regulations Termination Branch, Materials Transportation Bureau, 400 Seventh Street, SW., Washington, D.C. 20590 (202) 426-2075.

SUPPLEMENTARY INFORMATION: In its maintenance of the HMR, MTB performs an annual review of the regulations to detect errors which may be causing confusion to users. Inaccuracies detected in Title 49, Code of Federal Regulations (CFR), Parts 100-199, Revised as of November 1, 1983, include incorrect references to other rules and regulations in the CFR, and misstatements of certain regulatory requirements. Also, in response to inquiries which MTB received concerning the clarity of particular requirements specified in the HMR, changes are made which should reduce uncertainties.

Since these amendments do not impose new requirements, notice and public procedure thereon are unnecessary. For the same reason, these amendments are effective without the customary 30 day delay following publication.

The MTB has determined that this rule, as promulgated, is not a major rule under terms of Executive Order 12291 or significant under DOT implementing procedures (44 FR 11034). A final regulatory evaluation and environmental assessment was not prepared as these amendments are not substantive changes to the HMR.

Based on limited information available concerning size and nature of entities likely to be affected by these

amendments, I certify that these amendments will not, as promulgated, have a significant economic impact on a substantial number of small entities.

The following is a section-by-section summary of the amendments.

Section 171.7 is amended in paragraph (c)(23) to show the current address of the International Maritime Organization.

Section 172.101 is amended in paragraph (c)(12)(iii) to correct a reference to § 173.84(e)(1); and certain entries in the Hazardous Materials Table are amended as follows:

"1-Bromo-2-nitrobenzene (unstable at 56°C)" is corrected to read "1-Bromo-3-nitrobenzene (unstable at 56°C)".

"Cement, adhesive, n.o.s. See Cement, liquid, n.o.s." is corrected to indicate that the referred entry is simply "Cement".

"Coal, ground bituminous, sea coal, coal facings, etc." is corrected by adding the section reference "173.165" to column (5)(b).

Section 172.102 is amended in the Optional Hazardous Materials Table to correct the following errors:

"Chlorotrifluoroethane. See Trifluorochloroethane" has the order of the descriptions transposed.

"Chlorotrifluoroethane" should appear in Roman type and follow the italicized entry "Trifluorochloroethane".

"Diacetone alcohol" has the word "alcohol" misspelled.

"Dicetyl peroxydicarbonate maximum concentration 42%, stable dispersion in water" has two digits in the identification number transposed. The correct number is "UN 2895".

"Diisotridecyl peroxydicarbonate technical pure" is misspelled. The entry should read "Diisotridecyl peroxydicarbonate, technical pure".

Appendix A to Subpart B of Part 172 is amended as follows:

At "UN 1148" (102) the word "alcohol" is a misspelling.

At "UN 2889" (102) the word "peroxydicarbonate" is a misspelling.

At "UN 2985" the identification number is transposed. The correct number is "UN 2895".

Section 172.202 is amended at paragraph (c)(1) to show the current proper shipping name for "cement".

Section 172.401 is amended, at paragraph (c)(1), to remove the reference to an old edition of the "Transport of Dangerous Goods".

Section 173.182 is amended, at paragraph (a), by adding "zinc nitrate" as a specifically identified material. Until 1980, this material was described as "nitrates, n.o.s.".

Section 173.304 is amended, at paragraph (a)(2), to remove the table entry "Ethylene (36.8%)". It is a

composite of the entries "Ethane (36.8%)" and "Ethylene (31.0%)" that developed through typographical errors.

Section 173.306 is amended, at paragraph (c)(5), by stating that retest requirements for fire extinguishers are specified in 29 CFR 1910.157 (e) rather than paragraph (d).

Section 173.314 is amended to make the following corrections to the table in paragraph (c):

"Chloropentafluoroethane (R-115)" and "Chlorotrifluoromethane (R-13)". Reference to "Note 23" following the DOT-105A300W tank car is erroneous. That note is applicable to tank cars used to transport a flammable gas. Each of these materials is a nonflammable gas.

"Monomethylamine, anhydrous". The prefix "Mono" is removed so that this description corresponds with the proper shipping name in the Hazardous Materials Table.

"Note 25". Reference to § 175.200 is erroneous. The correct reference is § 176.200.

Section 173.388 is amended to specify that the subject regulations are issued by the Department of Health and Human Services.

Section 173.425 is amended, in paragraph (c)(1)(iv), to specify the correct activity limits for objects of nonradioactive material externally contaminated with radioactive material. As indicated in Docket HM-169 (48 FR 10233, March 10, 1983; and 48 FR 31218, July 7, 1983), the maximum permitted activity for radionuclides for which the A_2 value is less than 0.05 is "0.0001", and "0.001" for other radionuclides.

Section 175.700 is amended, in paragraph (a)(4), to remove the reference to "§ 175.85(d)". Paragraph (d) was removed in Docket HM-184 (47 FR 54817, December 6, 1982).

Section 178.47-10 is amended, in paragraph (c), to show the correct algebraic expression for the wall stress formula.

List of Subjects

49 CFR Part 171

Exports, Hazardous materials transportation, Imports.

49 CFR Part 172

Hazardous materials transportation.

49 CFR Part 173

Hazardous materials transportation, Packaging and containers.

49 CFR Part 175

Hazardous materials transportation, Air carriers.

49 CFR Part 178

Hazardous materials transportation, Packaging and containers.

In consideration of the foregoing, Parts 171, 172, 173, 175 and 178 of Title 49, Code of Federal Regulations are amended as follows:

PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS

1. In § 171.7, paragraph (c)(23) is revised to read as follows:

§ 171.7 Matter incorporated by reference.

* * * * *

(c) * * *

(23) International Maritime Organization, #4 Albert Embankment, London, SE 17SR, United Kingdom.
* * * * *

PART 172—HAZARDOUS MATERIALS TABLES AND HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

§ 172.101 [Amended]

2. In § 172.101, paragraph (c)(12)(iii) is amended by removing the section reference "178.86(e)(1)" and inserting, in its place, the section reference "173.86(e)(1)"; and the Hazardous Materials Table is amended by: Removing the entry "1-Bromo-2-nitrobenzene (unstable at 56°C)" and inserting in its place, the entry "1-Bromo-3-nitrobenzene (unstable at 56°C)"; removing the entry "Cement, adhesive n.o.s. See Cement, liquid, n.o.s." and inserting, in its place, the entry "Cement, adhesive n.o.s. See Cement"; and adding to the entry "Coal, ground bituminous, sea coal, coal facings, etc." the section reference "173.165" at column (5)(b).

§ 172.102 [Amended]

3. In § 172.102, the Optional Hazardous Materials Table is amended by: Removing the entry "Chlorotrifluoroethane. See Trifluorochloroethane", removing the entry "Diacetone alcohol" and inserting, in its place, the entry "Diacetone alcohol"; removing identification number "UN 2985" from column (4) for the entry "Dicetyl peroxydicarbonate maximum concentration 42%, stable dispersion in water" and inserting in its place, identification number "UN 2895"; removing the entry "Diisotridecyl peroxydicarbonate, technical pure"; and inserting, in its place, the entry "Diisotridecyl peroxydicarbonate, technical pure"; and adding the entry

"Trifluorochloroethane. See Chlorotrifluoroethane".

4. Part 172, Subpart B, Appendix A is amended by removing and adding certain entries as follows:

Appendix A—Identification Number Cross Reference to Proper Shipping Names in § 172.101 and § 172.102:

This listing is provided for information purposes only.

(1) Identification No.	(2) Source 172.***	(3) Description
REMOVE		
UN 1148	102	Diacetone alcohol.
UN 2889	102	Diisotridecyl peroxycarbonate.
UN 2985	102	Dicetyl peroxycarbonate.
ADD		
UN 1148	102	Diacetone alcohol.
UN 2889	102	Diisotridecyl peroxycarbonate.
UN 2985	102	Dicetyl peroxycarbonate.

§ 172.202 [Amended]

5. In § 172.202, paragraph (c)(1) is amended by removing the words "Cement, liquid n.o.s." and inserting, in their place, the word "Cement".

§ 172.401 [Amended]

6. In § 172.401, paragraph (c)(1) is amended by removing the reference "(1970)".

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

§ 173.182 [Amended]

7. In § 173.182, the introductory text of paragraph (a) is amended by adding the material "zinc nitrate" immediately following the material "strontium nitrate".

7a. In § 173.304, paragraph (a)(2) is amended by removing an entry for Ethylene as follows:

§ 173.304 Charging of cylinders with liquefied compressed gas.

- (a) ***
(2) ***

Kind of gas	Maximum permitted filling density (percent) (see Note 1)	Containers marked as shown in this column or of the same type with higher service pressure must be used except as provided in § 173.34(a), (b), § 173.301(i) (see notes following table)

(Remove)

Ethylene (see Notes 8 and 9).	36.8	DOT-3A200; DOT-3AX2000; DOT-3AA2000; DOT-3AAX1800; DOT-3; DOT-3E1800; 3T1800; DOT-39; DOT-3AL1800.
-------------------------------	------	--

§ 173.306 [Amended]

8. In § 173.306, paragraph (c)(5) is amended by removing the reference "29 CFR 1910.157(d)" and inserting, in its place, the reference "29 CFR 1910.157(e)".

§ 173.314 [Amended]

9. In § 173.314, the table in paragraph (c) is amended by: removing the reference "Note 23" associated with the materials "Chloropentafluoroethane (R-115)" and "Chlorotrifluoromethane (R-13)"; removing the prefix "Mono" from the material "Monomethylamine, anhydrous"; and removing the reference "175.200" from "Note 25" and inserting, in its place, the reference "176.200".

§ 173.388 [Amended]

10. In § 173.388, paragraph (a) is amended by removing the name "Department of Health, Education and Welfare" and inserting, in its place, the name "Department of Health and Human Services".

11. In § 173.425, paragraph (c)(1)(iv) is revised to read as follows:

§ 173.425 Transport requirements for low specific activity (LSA) radioactive materials.

- (c) ***
(1) ***

(iv) Objects of nonradioactive material externally contaminated with radioactive material, if the radioactive material is not readily dispersible and the surface contamination, when averaged over one square meter, does not exceed 0.0001 millicurie per square centimeter of radionuclides for which the A_2 value is less than 0.05 or 0.001 millicurie per square centimeter of other radionuclides. Such objects must be suitably wrapped or enclosed.

PART 175—CARRIAGE BY AIRCRAFT

§ 175.700 [Amended]

12. In § 175.700, paragraph (a)(4) is amended by removing the section reference "175.85(d)".

PART 178—SHIPPING CONTAINER SPECIFICATIONS

§ 178.47-10 [Amended]

13. In § 178.47-10, paragraph (c) is amended by removing the formula

" $S = P[(1.3D^2 + 0.4d^2)/(D^2 - d^2)]$ " and inserting, in its place, the formula " $S = (P(1.3D^2 + 0.4d^2))/(D^2 - d^2)$ ".

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53, App. A to Part 1)

Issued in Washington, D.C., on September 21, 1984.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 84-25631 Filed 9-26-84; 8:45 am]

BILLING CODE 4910-60-M

Federal Highway Administration

49 CFR Part 350

[BMCS Docket No. MC-108; Amdt. No. 83-9]

Motor Carrier Safety Assistance Program

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: The FHWA is amending the Federal Motor Carrier Safety Regulations (FMCSR) to include provisions related to the FHWA issuance of grants to qualified States for the development or implementation of State programs for the enforcement of Federal rules, regulations, standards, and orders applicable to commercial motor vehicle safety and hazardous materials transportation by highway and compatible State rules, regulations, standards and orders. This program, hereinafter referred to as the "Motor Carrier Safety Assistance Program" (MCSAP) has been established pursuant to sections 401-404 of the Surface Transportation Assistance Act of 1982 (STAA) (Pub. L. 97-424). This final rule is based on a review of comments received in response to an interim final rule (August 31, 1983) (48 FR 39455) which was issued to temporarily implement sections 401 to 404.

EFFECTIVE DATE: September 27, 1984.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Curtis, Bureau of Motor Carrier Safety, (202) 426-1724; or Mr. Thomas P. Holian, Office of the Chief Counsel, (202) 426-0346, Federal Highway Administration, 400 Seventh St., SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: On August 31, 1983, a Notice of Program Implementation, interim final rule, was published in the Federal Register (48 FR 39455). Its purpose was to establish interim procedures for MCSAP until the final rule was promulgated and to seek public comments. The interim final rule