

\* \* \* \* \*

Dated: November 13, 1995.

Stephen F. Sundlof,  
 Director, Center for Veterinary Medicine.  
 [FR Doc. 95-28599 Filed 11-22-95; 8:45 am]  
 BILLING CODE 4160-01-F

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration****23 CFR Part 1317**

[NHTSA Docket No. 95-82; Notice 1]

RIN 2127-AG08

**Highway Safety Innovative Project Grants Program**

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

**SUMMARY:** This final rule removes Part 1317 from title 23 of the Code of Federal Regulations (CFR). Part 1317 established criteria and administrative procedures for awards of innovative project grants to States and their political subdivisions, and to non-profit organizations including volunteer groups, in accordance with 23 U.S.C. 407. The regulation is being removed because it is unnecessary and obsolete. Funds for the section 407 program have not been authorized since 1981.

**EFFECTIVE DATE:** December 26, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary Butler, Office of State and Community Services, National Highway Traffic Safety Administration, 400 7th Street, S.W., Washington, D.C. 20590, telephone (202) 366-2121; or Ms. Sharon Y. Vaughn, Office of Chief Counsel, Room 5219, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, telephone (202) 366-1834.

**SUPPLEMENTARY INFORMATION:** On March 4, 1995, President Clinton directed all Federal Departments and agencies to take four steps to overhaul the nation's regulatory system. The first step was to conduct a page-by-page review of all agency regulations now in force and eliminate or revise those that are outdated or otherwise in need of reform. The review was to include careful consideration of a number of issues, including whether the regulation is obsolete, whether its intended goal can be achieved in more efficient less intrusive ways, or whether States or local governments can do the job (making Federal regulation unnecessary).

NHTSA conducted a thorough, page-by-page review of all agency regulations, including those that pertain to State and community highway safety programs.

As a result of these efforts, NHTSA has determined that Part 1317 should be removed from title 23 of the Code of Federal Regulations (CFR), because it is unnecessary and obsolete.

Part 1317 established criteria and administrative procedures for awards of innovative project grants to States and their political subdivisions, and to non-profit organizations including volunteer groups, in accordance with 23 U.S.C. 407. It was first published in the Federal Register, as 23 CFR Part 1217, on December 22, 1980 (45 FR 84037). It was redesignated as 23 CFR Part 1317 on March 22, 1984 (49 FR 10664).

Funds for the section 407 program have not been authorized since 1981. Because the regulation implements a program which is no longer active, and currently appears in the CFR among regulations that implement programs that continue to be active, its removal will avoid confusion for potential grant applicants.

**Rulemaking Analyses and Notices****(a) Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures**

NHTSA has considered the impact of this rulemaking action under E.O. 12866 and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under E.O. 12866, "Regulatory Planning and Review." This action has been determined to be not "significant" under the Department of Transportation's regulatory policies and procedures.

**(b) Regulatory Flexibility Act**

In compliance with the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601-612), the agency has evaluated the effects of this rule on small entities. Based on the evaluation, the agency hereby certifies that this action will not have a significant economic impact on a substantial number of small entities. Accordingly, the preparation of a Regulatory Flexibility Analysis is unnecessary.

**(c) 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.

**(d) Paperwork Reduction Act**

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

**(e) National Environmental Policy Act**

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

**(f) Executive Order 12778 (Civil Justice Reform)**

This amendment to the regulation does not have any preemptive or retroactive effect. It imposes no requirements on the States, but rather simply removes from the regulation outdated and obsolete provisions that no longer apply. The enabling legislation does not establish a procedure for judicial review of final rules promulgated under its provisions. There is no requirement that individuals submit a petition for reconsideration or other administrative proceedings before they may file suit in court.

**Notice and Comment**

Because the amendments relate to a grant program and are therefore not covered by the Administrative Procedure Act, and since they merely contain technical changes that remove outdated and obsolete provisions from the regulation and do not impose any additional requirements, the amendments are being made without prior notice and opportunity to comment.

**List of Subjects in 23 CFR Part 1317**

Grant programs, Highway safety.

Under the authority of 49 CFR Part 1.50, the Administrator of the National Highway Traffic Safety Administration amends Title 23 of the Code of Federal Regulations by removing Part 1317.

Issued on: November 20, 1995.

Ricardo Martinez,

Administrator, National Highway Traffic Safety Administration.

[FR Doc. 95-28684 Filed 11-22-95; 8:45 am]

BILLING CODE 4910-59-P