the sale of firearms and ammunition by the manufacturer, producer, or importer thereof. 26 U.S.C. 4181. However, section 4221 of the Code sets forth certain purposes for which an article subject to tax under Chapter 32 may be sold tax-free by the manufacturer, producer, or importer.

Under the regulations appearing in 27 CFR part 53, persons who sell firearms or ammunition tax-free are required to obtain certain exemption certificates or vendee statements to support such sales. Previous regulations included suggested forms for each type of statement and certificate. However, the Bureau of Alcohol, Tobacco and Firearms (ATF) has now made these certificates and statements available as preprinted documents that may be ordered by the taxpayer through the Bureau's Distribution Center and then reproduced as needed.

Temporary Rule and Notice of Proposed Rulemaking

On July 16, 1996, ATF published in the **Federal Register** a temporary rule (T.D. ATF–380, 61 FR 37005) amending the regulations regarding exemption certificates and statements related to the tax-free sale of firearms and ammunition. The temporary rule provided that taxpayers had the option of either using a preprinted exemption certificate and statement available through the Bureau's Distribution Center or designing their own certificates and statements that reflected the information required by the regulations. Should taxpayers wish to design and use their own certificates or statements, the regulations explain what information is required on such documents.

On July 16, 1996, the Bureau also published a notice of proposed rulemaking cross-referenced to the temporary regulations (Notice No. 831, 61 FR 37022). The notice sought public comment on the changes made by the temporary rule. The comment period for Notice No. 831 closed on October 15, 1996.

Comments

ATF received no comments in response to Notice No. 831.

Final Rule

ATF is adopting without change the amendments published in the temporary rule, T.D. ATF–380. The amendments reduce regulatory burdens by making preprinted forms available to taxpayers, while still providing taxpayers the flexibility of creating their own certificates and statements to support tax-free sales.

Executive Order 12866

It has been determined that this final rule is not a significant regulatory action as defined in E.O. 12866. Therefore, a regulatory assessment is not required.

Regulatory Flexibility Act

Pursuant to section 7805(f) of the Internal Revenue Code, the notice of proposed rulemaking and the temporary rule preceding this regulation were submitted to the Chief Counsel for Advocacy of the Small Business Administration (SBA) for comment on any impact on small business. The SBA did not submit any comments.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, Pub. L. 104–13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because no new requirement to collect information is imposed.

Disclosure

Copies of the temporary rule, the notice of proposed rulemaking, and this final rule will be available for public inspection during normal business hours at: ATF Public Reading Room, Room 6480, 650 Massachusetts Avenue, NW, Washington, DC 20226.

Drafting Information

The authors of this document are Mary Lou Blake and Marsha D. Baker, Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 53

Administrative practice and procedure, Arms and munitions, Authority delegations, Exports, Imports, Penalties, Reporting and recordkeeping requirements.

PART 53—MANUFACTURERS EXCISE TAXES—FIREARMS AND AMMUNITION

Accordingly, the temporary rule (TD ATF–380) amending 27 CFR part 53 which was published at 61 FR 37005 on July 16, 1996, is adopted as a final rule without change.

Signed: December 22, 1997.

John Magaw,

Director.

Approved: January 13, 1998.

John P. Simpson,

Deputy Assistant Secretary (Regulatory, Tariff & Trade Enforcement).

[FR Doc. 98–2681 Filed 2–3–98; 8:45 am]

BILLING CODE 4810–31–U

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 80, 82, 84, 87, 88, and 90

[CGD 94–011]

RIN 2115–AE71

Inland Navigation Rules; Lighting Provisions

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard amends certain lighting provisions and interpretive regulations supplementing the Inland Navigation Rules. These changes bring Inland Navigation Rules into conformity with the November 1995 amendments to the International Regulations for Prevention of Collisions at Sea (COLREGS), and clarify ambiguities in the rules.

DATES: This final rule is effective March 6, 1998.

ADDRESSES: Documents as indicated in the preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G–LRA/3406) [CGD 94–011], U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001 between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477. International Maritime Organization (IMO) documents referenced in the preamble can be ordered from the International Maritime Organization (IMO) at 4 Albert Embankment, London, England SE1 7SR.

FOR FURTHER INFORMATION CONTACT: Ms. Diane Schneider, Office of Vessel Traffic Management, (202) 267–0352.

SUPPLEMENTARY INFORMATION:

Regulatory History

On July 20, 1994, the Coast Guard published, in the **Federal Register** (59 FR 37003), a notice of proposed rulemaking (NPRM) entitled, Inland Navigation Rules, Lighting Provisions. On August 24, 1994, the Coast Guard published in the **Federal Register** (59 FR 42620), a correction making minor editorial changes to that NPRM. The Coast Guard received two letters commenting on the proposed rulemaking. No public hearing was requested, and none was held.

Background and Purpose

The Inland Navigation Rules and the International Regulations for Preventing Collisions at Sea (COLREGS) provide the rules governing all vessels on inland

waters and the high seas, respectively. The International Maritime Organization (IMO) adopted amendments to the annexes of the COLREGS, which became effective November 1995. The Coast Guard is revising the Inland Navigation Rules to reflect the COLREGS amendments.

Additionally, the Navigation Safety Advisory Council (NAVSAC), a congressionally authorized advisory group, reviewed the Inland Navigation Rules for consistency with the COLREGS. To clarify ambiguities in practical application of the Inland Navigation Rules and to bring those Rules into conformity with the COLREGS, NAVSAC recommended several changes. The changes primarily concerned light placement requirements. The only proposed change not adopted by this final rule is the mandatory requirement to light barges on the corners in accordance with 33 CFR 88.13.

Discussion of Comments and Changes

Two comments were received following the publication of the Notice of Proposed Rulemaking. Both comments supported the proposed rule changes, but both expressed concern that prescribing 4 lights for vessels less than 20 meters in length would place an unnecessary financial burden on small vessel owners. Additionally, the comments disagreed with the Coast Guard's cost estimate for all-round light fixtures and light installation. After reevaluating the original cost estimate, the Coast Guard determined that the original dollar figure was incorrect. Our new assessment, as explained in the *Regulatory Evaluation* section of this rule, determined that the average cost of a permanently installed all-round light fixture and its installation is $315, not $12 as specified in the NPRM. Based on the comments and the reassessed cost data, the Coast Guard has made this requirement optional.

Discussion of Regulations

Corrections to 72 COLREGS Demarcation Lines

The Coast Guard is correcting errors in the description of COLREGS demarcation lines found in the Inland Navigation Rules in 33 CFR part 80. COLREGS demarcations lines codify boundaries that delineate the applicability of either the Inland Rules or the COLREGS. These lines are marked on navigational charts. While these lines are correctly depicted on navigational charts, their description in 80.501 and 80.520 contains errors.

The errors being corrected in 33 CFR 80.1495 include the misspelling of Johnson Island; the reference to Canton Island, which was returned to the Republic of Kirbati, as a U.S. Possession; and the reference to the dissolved Trust Territory of the Pacific Island.

Lights for Moored Vessels

The Coast Guard is adding the interpretive rules 33 CFR 82.5 and 90.5 to the COLREGS and Inland Navigation Rules and revising 33 CFR 88.13 of the pilot rules to clarify the responsibilities of the operators of vessels moored to mooring buoys or other similar devices. The interpretive rules are added to ensure that the term *vessels at anchor* in Rule 30 of the COLREGS and Inland Rules includes vessels moored to a mooring buoy.

Recognizing the need to specify safe lighting requirements for vessels moored to mooring buoys in previous NAVSAC subcommittee meetings, the Coast Guard formally presented the issue to NAVSAC in November 1992. Then, at NAVSAC's request, the issue was forwarded to the Towing Safety Advisory Council (TSAC) and the National Boating Safety Advisory Council (NBSAC) for further consideration. All three advisory groups agreed that a vessel moored to a mooring buoy should be lighted as a vessel at anchor in accordance with Inland Navigation Rule 30. These groups also agreed that barges moored to a mooring buoy should be lighted on the corners in accordance with the scheme of 33 CFR 88.13.

In the NPRM, the Coast Guard proposed requiring that barges moored to mooring buoys be lighted on the corners in accordance with 33 CFR 88.13, instead of in accordance with Rule 30. Based on the comments and a cost reassessment for compliance with the proposed requirements, the Coast Guard has concluded that barges moored to mooring buoys have the option of either displaying the lights of a vessel at anchor as prescribed in Inland Rule 30, or of displaying lights on the corners in accordance with 33 CFR 88.13, found in Annex V to the Inland Rules.

Section 82.7 Sidelights for Unmanned Barges

Improper lighting of barges has been a contributory factor in some accidents involving recreational boaters and has been the subject of periodic congressional interest. The U.S. delegation to the IMO Subcommittee on Safety of Navigation raised the issue of sidelights on unmanned barges. IMO agreed that sidelights powered with existing battery technology could not meet the vertical sector requirements for large vessels under the COLREGS. IMO further agreed that an unmanned barge, unable to meet the vertical sector requirements, could meet the requirements of COLREGS and Inland Navigation Rule 24(h). Rule 24(h) allows a vessel or object being towed to exhibit alternative lighting where it is impracticable to light the vessel as prescribed by paragraph (e) or (g) of Rule 24. Paragraph (e) requires sidelights and sternlights for vessels being towed and paragraph (g) requires all-round white lights for partially submerged vessels or objects being towed. This exception has been the source of some confusion.

This rule adopts the interpretation found in Commandant Instruction 16672.3A, International Regulations for Preventing Collisions at Sea, 1972; Lights on Unmanned Barges, which states that those lighting unmanned barges may use the Rule 24(h) exception, and that this exception applies only to the vertical sector requirements. Consistent with the Coast Guard interpretation in the Commandant Instruction, the Coast Guard is adding interpretive rules 33 CFR 82.7 and 90.7 to clarify that the exception provided by Rule 24(h) of the COLREGS of Inland Rules pertains only to the vertical sector requirements.

Sections 84.01 and 84.27 High-speed Craft

The Coast Guard is adding a paragraph to 33 CFR 84.01, found in Annex I of the Inland Rules, to include the definition of *high-speed craft* stated in the IMO's *International Code of Safety of High-speed Craft (HSC Code).* The definition of *high-speed craft* is based on a formula that compares displacement to the maximum speed of vessels such as catamarans and hydrofoils. This addition to the Inland Rules parallels the language of the 72 COLREGS amendments.

The Coast Guard is also adding section 84.27 to Annex I of the Inland Rules to allow high-speed craft of unusually wide design to carry masthead lights at a lower level than that prescribed for conventional vessels. This change recognizes that existing light placement requirements based on conventional ship design are impractical when dealing with non-traditional designs such as catamarans, hydrofoils, and other craft of unusually wide design. This addition ensures consistency between the language of the Inland Navigation Rules and the 72 COLREGS amendments.

This new provision applies to vessels that meet the definition of high-speed craft (§ 84.01) and have length to breadth ratios of less than three-to-one. Conventional vessels such as tankers, container ships, and fishing vessels will not meet the definition of high-speed craft. Certain high powered displacement vessels such as frigates or destroyers may meet this definition but would not meet the length to breadth ratio requirements. For example: A high speed catamaran ferry, 59 meters in length with 20 meters in beam, may carry its forward masthead light 5.1 meters above the sidelights instead of 8 meters above the hull.

Section 84.05 Horizontal Spacing and Positioning of Lights

The Coast Guard is revising 33 CFR 84.05, found in Annex I of the Inland Rules, to provide that vessels less than 20 meters in length shall carry their masthead lights as far forward as is practicable. This revision creates parallel language between the Inland Navigation Rules and the amended COLREGS. The COLREGS amendment was based on a U.S. proposal to IMO to amend COLREGS rule 23(a)(i) by adopting the language of Inland Navigation Rule 23 (a)(i). However, the IMO chose to amend Annex I of the COLREGS instead of COLREGS rule 23(a)(i).

Inland Navigation Rule 23(a)(i) was deleted by the Coast Guard Authorization Act of 1996 (104 P.L. 324; 110 Stat. 3901; October 19, 1996) in order to conform the Inland Rules with the COLREGS. This revision results in no substantive change because the former Inland Navigation Rule 23(a)(i) provided that vessels less than 20 meters in length may carry their masthead light as far forward as practicable.

Section 84.17 Horizontal Sectors

The Coast Guard is revising 33 CFR 84.17, found in Annex I of the Inland Rules, to allow the use of two all-round lights screened or suitably positioned to appear as one light at a distance of one mile. This revision parallels the language between the Inland Navigation Rules and the COLREGS, and provides an alternative to vessels that cannot place all-round lights in a location to meet the angular cut-off requirement of Annex I.

On a vessel with a mast of large diameter, such as a warship or a vessel with a combined smoke stack and mast configuration, it is often impracticable to mount a single all-round light at a sufficient distance to meet the maximum 6 degree angular cutout requirements of the Inland Navigation Rules. Two unscreened all-round lights that are 1.28 meters (4.2 feet) apart or less will appear as one light to the unaided eye at a minimum distance of one nautical mile.

Seciton 87.1 Need of Assistance

The Coast Guard is revising 33 CFR 87.1, found in Annex IV to the Inland Rules, to add survival craft radar transponders to the list of distress signals. The 1988 amendments to the Safety of Life at Sea Convention (SOLAS), in Chapter III Part B Regulation 6.2.2, require that cargo and passenger ships subject to SOLAS carry Search and Rescue Transponders (SARTS) for use in survival craft. SARTS automatically respond to most surface navigation radars allowing rescuers to quickly locate a vessel or survival craft.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the Regulatory Policies and Procedures of the Department of Transportation (DOT) (44 FR 1040; February 26, 1979).

The Notice of Proposed Rulemaking proposed requiring that barges moored to mooring buoys display lights on the corners of the barge, as provided in 33 CFR 88.13. This proposal was to be required instead of the lighting requirements of Inland Navigation Rule 30 for vessels at anchor.

The Coast Guard received several comments questioning the original cost estimates. After subsequent research, the Coast Guard determined that the average cost of a permanently fixed all-round white light fixture and its installation is $315). The cost to a barge with lights on all four corners would be $1,260 (4 lights × $315). Given these costs, and the fact that barges moored to mooring buoys are required to be lit as *vessels at anchor* in accordance with Inland Navigation Rule 30, the Coast Guard decided that this provision is to be optional. Barges moored to mooring buoys will have the flexibility of exhibiting all-round lights on the corners, or continuing to exhibit *vessels at anchor* lighting requirements, as prescribed by Inland Navigation Rule 30. Therefore, the rulemaking imposes no costs on the industry. Furthermore, this rulemaking represents a convenience to mariners, as they will be able to continue to use the lighting system that is presently an industry practice.

The other requirements set forth in this rulemaking impose no costs. These amendments bring the Inland Navigation Rules into alignment with the COLREGS in a manner that provides sufficient flexibility to impose no cost upon industry or the mariner. For the reasons set forth, the Coast Guard expects there to be no economic impact as a result of this rule so that a full regulatory evaluation under paragraph 10e of the Regulatory Policies and Procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant impact on a substantial number of small entities. ''Small entities'' may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and (2) governmental jurisdictions with populations of less than 50,000.

A potential impact would be the cost of purchasing and installing lights for barges moored to mooring buoys. However, installation of these lights are not required. There are no required costs of this rule. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant impact on small entities.

Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), the Coast Guard offers to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact Ms. Diane Schneider, Office of Vessel Traffic Management, (202) 267–0352.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Under 33 U.S.C. 2071, authority to issue regulations to implement and interpret the Inland Navigational Rules is vested in the Secretary of Transportation and delegated to the Coast Guard.

Unfunded Mandates

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4, 109 Stat. 48) requires Federal agencies to assess the effects of certain regulatory actions on State, local, and tribal governments, and the private sector. UMRA requires a written statement of economic and regulatory alternatives for proposed and final rules that contain Federal mandates. A ''Federal mandate'' is a new or additional enforceable duty, imposed on any State, local or tribal government, or the private sector. If any Federal mandates cause those entities to spend, in the aggregate, $100 million or more in any one year the UMRA analysis is required. This rule does not impose Federal mandates on any State, local or tribal governments or the private sector.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.B.2 of Commandant Instruction M16475.1B, this rulemaking is categorically excluded from further environmental documentation. A Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under **ADDRESSES.**

List of Subjects

33 CFR Part 80

Navigation (water), Treaties, Waterways.

33 CFR Part 82

Navigation (water), Treaties.

33 CFR Part 84

Navigation (water), Waterways.

33 CFR Part 87

Navigation (water), Waterways.

33 CFR Part 88

Navigation (water), Waterways.

33 CFR Part 90

Navigation (water), Waterways.

For the reasons set out in the preamble, the Coast Guard is amending 33 CFR parts 80, 82, 84, 87, 88, and 90 as follows:

PART 80—COLREGS DEMARCATION LINES

1. The authority citation for part 80 continues to read as follows:

Authority: 14 U.S.C. 2; 14 U.S.C. 633; 33 U.S.C. 151(a); 49 CFR 1.46.

2. In § 80.501, revise paragraph (d) to read as follows:

§ 80.501 Tom's River, NJ to Cape May, NJ.

* * * * *

(d) A line drawn from the southernmost point of Longport at latitude 39°18.2′ N. longitude 74°33.1′ W. to the northeasternmost point of Ocean City at latitude 39°17.6′ N. longitude 74°33.1′ W. across Great Egg Harbor Inlet.

* * * * *

3. In § 80.520, revise paragraph (a) to read as follows:

§ 80.520 Cape Hatteras, NC to Cape Lookout, NC.

(a) A line drawn from Hatteras Inlet Lookout Tower at latitude 35°11.8′ N. longitude 75°44.9′ W. 255° true to the eastern end of Ocracoke Island.

* * * * *

4. Revise § 80.1495 to read as follows:

§ 80.1495 U.S. Pacific Island Possessions.

The 72 COLREGS shall apply on the bays, harbors, lagoons, and waters surrounding the U.S. Pacific Island Possessions of American Samoa, Baker, Howland, Jarvis, Johnson, Palmyra, Swains and Wake Islands.

PART 82—72 COLREGS: INTERPRETATIVE RULES

5. Revise the authority citation for part 82 to read as follows:

Authority: 14 U.S.C. 2, 633; 33 U.S.C. 1602; E.O. 11964, 42 FR 4327, 3 CFR, 1977 Comp., p. 88; 49 CFR 1.46(n).

6. Add § 82.5 to read as follows:

§ 82.5 Lights for moored vessels.

For the purposes of Rule 30 of the 72 COLREGS, a *vessel at anchor* includes a barge made fast to one or more mooring buoys or other similar device attached to the sea or river floor. Such a barge may be lighted as a vessel at anchor in accordance with Rule 30, or may be lighted on the corners in accordance with 33 CFR 88.13.

7. Add § 82.7 to read as follows:

§ 82.7 Sidelights for unmanned barges.

An unmanned barge being towed may use the exception of COLREGS Rule 24(h). However, this exception only applies to the vertical sector requirements.

PART 84—ANNEX I: POSITIONING AND TECHNICAL DETAILS OF LIGHTS AND SHAPES

8. The authority citation for part 84 continues to read as follows:

Authority: 33 U.S.C. 2071; 49 CFR 1.46.

9. In § 84.01, redesignate paragraphs (b) through (c) as paragraphs (c) through (d) and add a new paragraph (b) to read as follows:

§ 84.01 Definitions.

* * * * *

(b) *High-speed craft* means a craft capable of maximum speed in meters per second (m/s) equal to or exceeding: $3.7\nabla^{0.1667}$; where ∇ = displacement corresponding to the design waterline (meters $_3$).

Note to paragraph (b): The same formula expressed in pounds and knots is maximum speed in knots (kts) equal to exceeding 1.98 (lbs) $\nabla^{0.1667}$; where ∇ = displacement corresponding to design waterline in pounds.

* * * * *

10. In § 84.05, revise paragraph (a), redesignate paragraph (b) as paragraph (e), redesignate paragraphs (c) and (d) as paragraphs (b) and (c), and add a new paragraph (d) to read as follows:

§ 84.05 Horizontal position and spacing of lights.

(a) Except as specified in paragraph (e) of this section, when two masthead lights are prescribed for a power-driven vessel, the horizontal distance between them must not be less than one quarter of the length of the vessel but need not be more than 50 meters. The forward light must be placed not more than one half of the length of the vessel from the stem.

* * * * *

(d) When only one masthead light is prescribed for a power-driven vessel, this light must be exhibited forward of amidships. For a vessel of less than 20 meters in length, the vessel shall exhibit one masthead light as far forward as is practicable.

* * * * *

11. In § 84.17, add paragraph (c) to read as follows:

§ 84.17 Horizontal sectors.

* * * * *

(c) If it is impracticable to comply with paragraph (b) of this section by exhibiting only one all-round light, two all-round lights shall be used suitably positioned or screened to appear, as far as practicable, as one light at a minimum distance of one nautical mile.

Note to paragraph (c): Tow unscreened all-round lights that are 1.28 meters apart or less will appear as one light to the naked eye at a distance of one nautical mile.

12. Add § 84.27 to read as follows:

§ 84.27 High-speed craft.

(a) The masthead light of high-speed craft with a length to breadth ratio of

less than 3.0 may be placed at a height related to the breadth lower than that prescribed in § 84.03(a)(1), provided that the base angle of the isosceles triangle formed by the side lights and masthead light when seen in end elevation is not less than 27 degrees as determined by the formula in paragraph (b) of this section.

(b) The minimum height of masthead light above sidelights is to be determined by the following formula: Tan $27° = {}_X/_Y$; where Y is the horizontal distance between the sidelights and X is the height of the forward masthead light.

PART 87—ANNEX IV: DISTRESS SIGNALS

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

Authority: 33 U.S.C. 2071; 49 CFR 1.46.

14. In § 87.1, revise paragraph (o) to read as follows:

§ 87.1 Need of assistance.

* * * * *

(o) Signals transmitted by radiocommunication systems, including survival craft radar transponders meeting the requirements of 47 CFR 80.1095.

* * * * *

PART 88—ANNEX V: PILOT RULES

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

Authority: 33 U.S.C. 2071; 49 CFR 1.46.

16. In § 88.13, revise the section heading, revise paragraphs (b) and (c), redesignate paragraph (d) as paragraph (e) and add a new paragraph (d) to read as follows:

§ 88.13 Lights on moored barges.

* * * * *

(b) Barges described in paragraph (a) of this section shall carry two unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile and meeting the technical requirements as prescribed in § 84.15 of this chapter.

(c) A barge or group of barges at anchor or made fast to one or more mooring buoys or other similar device, in lieu of the provisions of Inland Navigation Rule 30, may carry unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile that meet the requirements of § 84.15 of this chapter and shall be arranged as follows:

(1) Any barge that projects from a group formation, shall be lighted on its outboard corners.

(2) On a single barge moored in water where other vessels normally navigate on both sides of the barge, lights shall be placed to mark the corner extremities of the barge.

(3) On barges moored in group formation, moored in water where other vessels normally navigate on both sides of the group, lights shall be placed to mark the corner extremities of the group.

(d) The following are exempt from the requirements of this section:

(1) A barge or group of barges moored in a slip or slough used primarily for mooring purposes.

(2) A barge or group of barges moored behind a pierhead.

(3) A barge less than 20 meters in length when moored in a special anchorage area designated in accordance with § 109.10 of this chapter.

* * * * *

PART 90—INLAND RULES: INTERPRETATIVE RULES

17. The authority citation for part 90 continues to read as follows:

Authority: 33 U.S.C. 2071; 49 CFR 1.46(n)(14).

18. Add § 90.5 to read as follows:

§ 90.5 Lights for moored vessels.

A *vessel at anchor* includes a vessel made fast to one or more mooring buoys or other similar device attached to the ocean floor. Such vessels may be lighted as a vessel at anchor in accordance with Rule 30, or may be lighted on the corners in accordance with 33 CFR 88.13.

19. Add § 90.7 to read as follows:

§ 90.7 Sidelights for unmanned barges.

An unmanned barge being towed may use the exception of COLREGS Rule 24(h). However, this exception only applies to the vertical sector requirements for sidelights.

Dated: January 28, 1998.

Joseph J. Angelo,

Acting, Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 98–2696 Filed 2–3–98; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

[Docket No. 980108007–8007–01]

RIN 0651–AA97

Changes to Continued Prosecution Application Practice

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Interim rule with request for comments.

SUMMARY: The Patent and Trademark Office (Office) is amending its regulations to remove the requirement that the prior application of a continued prosecution application (CPA) must have been filed on or after June 8, 1995. This requirement is being removed in response to requests from the public.

DATES: *Effective Date:* February 4, 1998.

Applicability Date: This rule change applies to all continued prosecution applications filed on or after December 1, 1997.

Comment Deadline Date: To be ensured of consideration, written comments must be received on or before April 6, 1998. No public hearing will be held.

ADDRESSES: Comments should be sent by mail message over the Internet addressed to regreform@uspto.gov. Comments may also be submitted by mail addressed to: Box Comments—Patents, Assistant Commissioner for Patents, Washington, DC 20231, or by facsimile to (703) 308–6916, marked to the attention of Hiram H. Bernstein. Although comments may be submitted by mail or facsimile, the Office prefers to receive comments *via* the Internet. Where comments are submitted by mail, the Office would prefer that the comments be submitted on a DOS formatted 3¼ inch disk accompanied by a paper copy.

The comments will be available for public inspection in Suite 520, of One Crystal Park, 2011 Crystal Drive, Arlington, Virginia, and will be available through anonymous file transfer protocol (ftp) *via* the Internet (address: ftp.uspto.gov). Since comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

FOR FURTHER INFORMATION CONTACT: *Concerning this Interim Rule:* Hiram H. Bernstein or Robert W. Bahr, Senior Legal Advisors, by telephone at (703) 305–9285, or by mail addressed to: Box