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Issued in Washington, DC this 25th day of January 2007.

James S. Simpson,

FTA Administrator.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-07-26922]

Highway Safety Programs; Conforming Products List of Screening Devices to Measure Alcohol in Bodily Fluids

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: This Notice amends and updates the list of devices that conform to the Model Specifications for

Screening Devices to Measure Alcohol in Bodily Fluids.

EFFECTIVE DATE: January 31, 2007.

FOR FURTHER INFORMATION CONTACT: J. De Carlo Ciccel, Impaired Driving Division (NTI-111), National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590; Telephone: (202) 366-1694.

SUPPLEMENTARY INFORMATION: On August 2, 1994, NHTSA published Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids (59 FR 39382). These specifications established performance criteria and methods for testing alcohol screening devices to measure alcohol content. The specifications support State laws that target youthful offenders (*e.g.*, "zero tolerance" laws) and the Department of Transportation's workplace alcohol testing program. NHTSA published its first Conforming Products List (CPL) for screening devices on December 2, 1994 (59 FR 61923, with corrections on December 16, 1994 in 59 FR 65128), identifying the devices that meet NHTSA's Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids. Five (5) devices appeared on that first list. Thereafter, NHTSA amended the CPL on August 15, 1995 (60 FR 42214) and on May 4, 2001 (66 FR 22639), adding seven (7) devices to the CPL in those two (2) actions.

On September 19, 2005, NHTSA published an updated CPL (70 FR 54972), adding several devices to the list and removing several other devices. Subsequently NHTSA discovered an error regarding the name of a device listed on the CPL and republished the CPL on December 5, 2005 (70 FR 72502) to correct the error.

Since the publication of the last CPL, NHTSA has evaluated additional devices at the Volpe National Transportation Systems Center (VNTSC) in Cambridge, Massachusetts, resulting in the addition of three (3) new breath alcohol screening devices to the CPL.

(1) Q3 Innovations, Inc. submitted two (2) screening devices for testing. Their trade names are: AlcoHAWK Micro and AlcoHAWK Slim. These devices meet the NHTSA Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

(2) Akers Biosciences, Inc. submitted the Breath Alcohol ✓ .02 Detection System for testing. This device meets the NHTSA Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

Consistent with paragraphs (1) and (2) above, NHTSA amends the Conforming Products List of Screening Devices to Measure Alcohol in Bodily Fluids to read as follows:

CONFORMING PRODUCTS LIST OF ALCOHOL SCREENING DEVICES

Manufacturer	Device(s)
AK Solutions, Inc., Palisades Park, NJ ¹	Alcoscan AL-2500. AlcoChecker. AlcoKey. AlcoMate. AlcoMate Pro. Alcoscan AL-5000. Alcoscan AL-6000. Alco Check 3000 D.O.T. Alco Check 9000.
Alco Check International, Hudsonville, MI	Breath Alcohol ✓ .02 Detection System. ² ALCO-SCREEN 02™. ³
Akers Biosciences, Inc., Thorofare, NJ	Alco Tector Mark X. Mark X Alcohol Checker.
Chematics, Inc., North Webster, IN	Alcotector WAT89EC-1.
Guth Laboratories, Inc., Harrisburg, PA	A.B.I. (Alcohol Breath Indicator). Q.E.D. A150 Saliva Alcohol Test.
Han International Co., Ltd., Seoul, Korea ⁴	PAS Vr. AlcoHAWK Precision.
OraSure Technologies, Inc., Bethlehem, PA	AlcoHAWK Slim.
PAS Systems International, Inc., Fredericksburg, VA	AlcoHAWK Elite.
Q3 Innovations, Inc., Independence, IA ⁵	AlcoHAWK ABI. AlcoHAWK Micro. AlcoHAWK PRO.
Repco Marketing, Inc., Raleigh, NC	Alco Tec III.
Seju Co. of Taejeon, Korea	Safe-Slim.
Sound Off, Inc., Hudsonville, MI	Digitox D.O.T.
Varian, Inc., Lake Forest, CA	On-Site Alcohol. ⁶

¹ The AlcoMate was manufactured by Han International of Seoul, Korea, but marketed and sold in the U.S. by AK Solutions.

² The Breath Alcohol ✓ .02 Detection System consists of a single-use disposable breath tube used in conjunction with an electronic analyzer that determines the test result. The electronic analyzer and the disposable breath tubes are lot specific and manufactured to remain calibrated throughout the shelf-life of the device. This screening device cannot be used after the expiration date.