

Issued on March 10, 1995.

Harry Thompson,

Acting Director, Office of Vehicle Safety Compliance.

[FR Doc. 95-6482 Filed 3-15-95; 8:45 am]

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Annual List of Nonconforming Vehicles Decided To Be Eligible for Importation; Correction

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

ACTION: Correction to annual list of nonconforming vehicles decided to be eligible for importation.

SUMMARY: This document corrects a notice published on February 13, 1995 (60 FR 8268) listing all vehicles not originally manufactured to comply with all applicable Federal motor vehicle safety standards that NHTSA has decided, as of January 27, 1995, to be eligible for importation into the United States under 49 U.S.C. 30141(a)(1) (formerly section 108(c)(3)(C)(i) of the

National Traffic and Motor Vehicle Safety Act of 1966). The following vehicles that had been decided eligible for importation prior to January 17, 1995 were inadvertently omitted from the list of vehicles manufactured for other than the Canadian market set forth in Annex A to the notice:

VSP	Make	Mode type	Model ID	Model year
91	BMW	750iL		1990
92	Volkswagen	Golf		1993
93	Audi	100		1989
94	Mercedes-Benz	300CE	124.061	1993
95	Volvo	940GL		1993
96	BMW	325i		1991
97	Porsche	944		1990
98	MG	BGT		1972
99	BMW	840Ci		1993
101	Toyota	Land Cruiser		1989
102	Toyota	Land Cruiser		1991

Authority: 49 U.S.C. 30141(b)(2); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

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Acting Director, Office of Vehicle Safety Compliance.

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DATES: This decision is effective as of March 16, 1995.

FOR FURTHER INFORMATION CONTACT: Ted Bayler, Office of Vehicle Safety Compliance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A) (formerly section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act (the Act)), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115 (formerly section 114 of the Act), and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the

petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J.K. Motors of Kingsville, Maryland (Registered importer R-90-006) petitioned NHTSA to decide whether 1988 Honda CB1000F motorcycles are eligible for importation into the United States. NHTSA published notice of the petition on December 28, 1994 (59 FR 67003) to afford an opportunity for public comment. The reader is referred to that notice for a thorough description of the petition. No comments were received in response to the notice. Based on its review of the information submitted by the petitioner, NHTSA has decided to grant the petition.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS-7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP 106 is the vehicle eligibility number assigned to vehicles admissible under this decision.

Final Determination

Accordingly, on the basis of the foregoing, NHTSA hereby decides that a 1988 Honda CB1000F motorcycle not originally manufactured to comply with all applicable Federal motor vehicle safety standards is substantially similar to a 1988 Honda CB1000F motorcycle

[Docket No. 94-99; Notice 2]

Decision That Nonconforming 1988 Honda CB1000F Motorcycles Are Eligible for Importation

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

ACTION: Notice of decision by NHTSA that nonconforming 1988 Honda CB1000F motorcycles are eligible for importation.

SUMMARY: This notice announces the decision by NHTSA that 1988 Honda CB1000F motorcycle passenger cars not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the U.S.-certified version of the 1988 Honda CB1000F motorcycle), and they are capable of being readily altered to conform to the standards.

originally manufactured for importation into and sale in the United States and certified under 49 U.S.C. § 30115, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Authority: 49 U.S.C. 30141 (a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

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Harry Thompson,

Director, Office of Vehicle Safety Compliance.
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[NHTSA Docket No. 94-021; Notice 2]

Highway Safety Programs; Model Specifications for Devices to Measure Breath Alcohol

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice.

SUMMARY: This notice amends the Conforming Products List for instruments that conform to the Model Specifications for Evidential Breath Testing Devices (58 FR 48705).

EFFECTIVE DATE: March 16, 1995.

FOR FURTHER INFORMATION CONTACT: Dr. James F. Frank, Office of Alcohol and State Programs, NTS-21, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590; Telephone: (202) 366-5593.

SUPPLEMENTAL INFORMATION: On November 5, 1973, the National

Highway Traffic Safety Administration (NHTSA) published the Standards for Devices to Measure Breath Alcohol (38 FR 30459). A Qualified Products List of Evidential Breath Measurement Devices comprised of instruments that met this standard was first issued on November 21, 1974 (39 FR 41399).

On December 14, 1984 (49 FR 48854), NHTSA converted this standard to Model Specifications for Evidential Breath Testing Devices, and published a Conforming Products List (CPL) of instruments that were found to conform to the Model Specifications as Appendix D to that notice (49 FR 48864).

On September 17, 1993, NHTSA published a notice (58 FR 48705) to amend the Model Specifications. The notice changed the alcohol concentration levels at which instruments are evaluated, from 0.000, 0.050, 0.101, and 0.151 BAC, to 0.000, 0.020, 0.040, 0.080, and 0.160 BAC; added a test for the presence of acetone; and expanded the definition of alcohol to include other low molecular weight alcohols including methyl or isopropyl. On April 20, 1994, the most recent amendment to the Conforming Products List (CPL) was published (59 FR 18839), identifying those instruments found to conform with the Model Specifications.

Since the last publication of the CPL, five (5) instruments have been evaluated and found to meet the model specifications, as amended on September 17, 1993, for mobile and non-mobile use. They are: CMI, Inc.'s

"Intoxilyzer 5000 (CAL DOJ)" and "Intoxilyzer 400" (which is identical to Lion Laboratories of Cardiff, Wales, UK "Alcometer 400" that will also be listed); Intoximeters, Inc.'s "Portable Intox EC-IR;" National Draeger's "Breathalyzer 7410-II"; Sound-Off, Inc.'s "AlcoData" (which is identical to the "Alcohol Detection System-A.D.S. 500" sold by Gall's Inc. of Lexington, KY that will also be listed). CMI, Inc.'s Intoxilyzer Model 200D has also been added to the CPL. NHTSA has determined that testing is not required for this instrument. The changes from the Model 200 to the Model 200D were determined not to affect precision and accuracy of the device. Similarly, the agency has determined that differences between CMI's Intoxilyzer 5000 (CAL DOJ) and the Intoxilyzer 5000, 5000 (with Cal vapor recirc.), 5000 (w/ 3/8 ID hose option), as well as the 5000 (CAL DOJ) do not affect precision or accuracy. Accordingly, NHTSA has determined that additional testing is not required for these instruments. These devices have been added to the CPL. Finally, the agency has determined that the "BAC DataMaster-Transportable" made by National Patent Analytical Systems, Inc. of Mansfield, OH is no longer manufactured, and the manufacturer reports that no devices are in use. Therefore, the "BAC DataMaster-Transportable" has been removed from the CPL.

In accordance with the foregoing, the CPL is therefore amended, as set forth below.

CONFORMING PRODUCTS LIST OF EVIDENTIAL BREATH MEASUREMENT DEVICES

Manufacturer and model	Mobile	Nonmobile
Alcohol Countermeasures System, Inc., Port Huron, MI: Alert J3AD*	X	X
BAC Systems, Inc., Ontario, Canada: Breath Analysis Computer*	X	
CAMEC Ltd., North Shields, Tyne and Ware, England: IR Breath Analyzer*	X	X
CMI, Inc., Owensboro, KY: Intoxilyzer Model:		
200	X	X
200D	X	X
400	X	X
1400	X	X
4011*	X	X
4011A*	X	X
4011AS*	X	X
4011AS-A*	X	X
4011AS-AQ*	X	X
4011 AW*	X	X
4011A27-10100*	X	X
4011A27-10100 with filter*	X	X
5000	X	X
5000 (w/Cal. Vapor Re-Circ.)	X	X
5000 (w/3/8" ID Hose option)	X	X
5000CD	X	X
5000CD/FG5	X	X
5000 (CAL DOJ)	X	X