

**DEPARTMENT OF TRANSPORTATION  
Federal Aviation Administration**

**14 CFR Part 121**

[Docket No. OST-2002-13435]

RIN 2105-AD35

**Procedures for Transportation  
Workplace Drug and Alcohol Testing  
Programs: Drug and Alcohol  
Management Information System  
Reporting; Correction**

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Correction; technical  
amendment.

**SUMMARY:** This document makes  
corrections to the final regulations  
(Appendix J to part 121) published in  
the **Federal Register** on December 31,  
2003 (68 FR 75455), which revised  
reporting requirements and guidance for  
drug and alcohol testing for each  
Department of Transportation (DOT)  
agency.

**DATES:** Effective on December 31, 2003.

**FOR FURTHER INFORMATION CONTACT:**  
Diane J. Wood, 202-267-8442.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulation that is the subject  
of this correction resulted from a  
rulemaking to conform to a regulation  
change adopted by DOT. DOT changed  
their regulations to simplify the  
reporting process for drug and alcohol  
testing by requiring that each agency in  
the department use the same one-page  
form to record test results. The DOT rule  
resulted in a reduction in the data  
elements for which an employer must  
account, and a reduction in paperwork  
that must be submitted to each DOT  
agency.

The DOT rule also required that each  
agency within the department change  
their specific regulations to conform to  
the new standards required by DOT.

**Need for Correction**

As published, the final regulation  
contains an error that we hoped to  
correct during the rulemaking. In our  
section-by-section discussion about the  
changes we intended to make to  
Appendix J of part 121, we said we  
would change the title of section IV.B to  
make the title consistent with the same  
section in Appendix I of part 121. We  
failed to make that change in the rule  
language.

**List of Subjects in 14 CFR Part 121**

Air carriers, Aircraft, Airmen, Alcohol  
abuse, Aviation safety, Charter flights,

Drug abuse, Drug testing, Reporting and  
recordkeeping requirements, Safety,  
Transportation.

■ Accordingly, 14 CFR part 121 is  
corrected by making the following  
correcting amendment:

**PART 121—OPERATING  
REQUIREMENTS: DOMESTIC, FLAG,  
AND SUPPLEMENTAL OPERATIONS**

■ 1. The authority citation for 14 CFR  
part 121 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 40119,  
41706, 44101, 44701-55702, 44705, 44709-  
44711, 44713, 44716-44717, 44722, 44901,  
44903-44904, 44912, 45101-45105, 46105,  
46301.

■ 2. Revise section IV.B to read as  
follows:

*IV. Handling of Test Results, Record  
Retention, and Confidentiality \* \* \**

\* \* \* \* \*

B. Annual Reports

\* \* \* \* \*

Issued in Washington, DC, on March 12,  
2004.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

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