

**§ 86.1845-04 Manufacturer in-use verification testing requirements.**

\* \* \* \* \*

(b) \* \* \*

(5) \* \* \*

(ii) For non-gaseous fueled vehicles, one test vehicle of each evaporative/refueling family shall be tested in accordance with the supplemental 2-diurnal-plus-hot-soak evaporative emission and refueling emission procedures described in subpart B of this part, when such test vehicle is tested for compliance with applicable evaporative emission and refueling standards under this subpart. For gaseous fueled vehicles, one test vehicle of each evaporative/refueling family shall be tested in accordance with the 3-diurnal-plus-hot-soak evaporative emission and refueling emission procedures described in subpart B of this part, when such test vehicle is tested for compliance with applicable evaporative emission and refueling standards under this subpart. The test vehicles tested to fulfill the evaporative/refueling testing requirement of this paragraph (b)(5)(ii) will be counted when determining compliance with the minimum number of vehicles as specified in Table S04-06 and Table S04-07 in paragraph (b)(3) of this section for testing under paragraph (b)(5)(i) of this section only if the vehicle is also tested for exhaust emissions under the requirements of paragraph (b)(5)(i) of this section.

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(c) \* \* \*

(5) \* \* \*

(ii) For non-gaseous fueled vehicles, one test vehicle of each evaporative/refueling family shall be tested in accordance with the supplemental 2-diurnal-plus-hot-soak evaporative emission procedures described in subpart B of this part, when such test vehicle is tested for compliance with applicable evaporative emission and refueling standards under this subpart. For gaseous fueled vehicles, one test vehicle of each evaporative/refueling family shall be tested in accordance with the 3-diurnal-plus-hot-soak evaporative emission procedures described in subpart B of this part, when such test vehicle is tested for compliance with applicable evaporative emission and refueling standards under this subpart. The test vehicles tested to fulfill the evaporative/refueling testing requirement of this paragraph (b)(5)(ii) will be counted when determining compliance with the minimum number of vehicles as specified in Table S04-06 and table S04-07 in paragraph (b)(3) of this section for testing under paragraph

(b)(5)(i) of this section only if the vehicle is also tested for exhaust emissions under the requirements of paragraph (b)(5)(i) of this section.

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**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**49 CFR Part 173**

**Shippers—General Requirements for Shipments and Packagings**

*CFR Correction*

In Title 49 of the Code of Federal Regulations, parts 100 to 185, revised as of October 1, 2004, on page 591, § 173.315 is corrected by adding paragraph (i)(8) to read as follows:

**§ 173.315 Compressed gases in cargo tanks and portable tanks.**

\* \* \* \* \*

(i) \* \* \*

(8) Each pressure relief valve outlet must be provided with a protective device to prevent the entrance and accumulation of dirt and water. This device must not impede flow through the valve. Pressure relief devices must be designed to prevent the entry of foreign matter, the leakage of liquid and the development of any dangerous excess pressure.

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**DEPARTMENT OF HOMELAND SECURITY**

**Transportation Security Administration**

**49 CFR Part 1540**

**RIN 1652-ZA09**

**Prohibited Items; Allowing Small Scissors and Small Tools**

**AGENCY:** Transportation Security Administration (TSA), DHS.

**ACTION:** Interpretive rule.

**SUMMARY:** To enable transportation security officers to concentrate on more effectively confronting the threat of concealed explosives being taken into the cabin of an aircraft, the Transportation Security Administration (TSA) is removing certain low threat, high volume, and easily identified items from the prohibited items list. This

document amends the TSA interpretive rule that provides guidance to the public on the types of items that TSA considers to be weapons, explosives, and incendiaries, and which are therefore prohibited in airport sterile areas, in the cabins of aircraft, or in passengers' checked baggage. This document removes small scissors and certain small tools from the prohibited items list and adds them to the permitted items list.

**DATES:** Effective December 22, 2005.

**FOR FURTHER INFORMATION CONTACT:** John Randol, Security Operations, Transportation Security Administration, 601 South 12th Street, Arlington, VA 22202-4220; telephone (571) 227-1796.

**SUPPLEMENTARY INFORMATION:**

**Availability of Documents**

You can get an electronic copy using the Internet by—

(1) Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>; or

(2) Visiting TSA's Law and Policy Web page at <http://www.tsa.gov> and accessing the link for "Law and Policy" at the top of the page.

In addition, copies are available by writing or calling the individual in the **FOR FURTHER INFORMATION CONTACT** section. Make sure to identify the docket number of this rulemaking.

**Statutory and Regulatory Background**

TSA is responsible for security in all modes of transportation, including aviation. See 49 U.S.C. 114(d). TSA restricts what passengers may carry into the sterile areas of airports and into the cabins of air carrier aircraft. Under TSA's regulation for acceptance and screening of individuals and accessible property, 49 CFR 1540.111, an individual (other than a law enforcement or other authorized individual) may not have a weapon, explosive, or incendiary, on or about the individual's person or accessible property—

- When performance has begun of the inspection of the individual's person or accessible property before entering a sterile area, or before boarding an aircraft for which screening is conducted under § 1544.201 or § 1546.201 of this chapter;

- When the individual is entering or in a sterile area; or

- When the individual is attempting to board or onboard an aircraft for which screening is conducted under § 1544.201 or § 1546.201 of this chapter.

On February 14, 2003, TSA published an interpretive rule that provided guidance to the public on the types of