

flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

#### Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78).

By Order of the Maritime Administrator.  
Dated: June 7, 2012.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2012-14492 Filed 6-13-12; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD 2012 0068]

#### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SMOKE AND ROSES; Invitation for Public Comments

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before July 16, 2012.

**ADDRESSES:** Comments should refer to docket number MARAD-2012-0068. Written comments may be submitted by hand or by mail to the Docket Clerk,

U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W21-203, Washington, DC 20590. Telephone 202-366-5979, Email [Joann.Spittle@dot.gov](mailto:Joann.Spittle@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel SMOKE AND ROSES is:

INTENDED COMMERCIAL USE OF VESSEL: "We intend to carry up to 10 passengers for hire for sunset and wildlife sightseeing tours. Also, overnight and week long tours for up to 6 passengers touring the southwest coast of Florida."

GEOGRAPHIC REGION: "Florida."

The complete application is given in DOT docket MARAD-2012-0068 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

#### Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act

Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78).

By Order of the Maritime Administrator.

Dated: June 7, 2012.

**Julie P. Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2012-14495 Filed 6-13-12; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0062]

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

**AGENCY:** National Highway Traffic Safety Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** This notice updates the Conforming Products List (CPL) published in the **Federal Register** on December 15, 2009 (74 FR 66398) for instruments that conform to the Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids dated, March 31, 2008 (73 FR 16956).

**DATES:** *Effective Date:* June 14, 2012.

**FOR FURTHER INFORMATION CONTACT:** *For technical issues:* Ms. De Carlo Ciccel, Behavioral Research Division, NHTSA-131, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; Telephone: (202) 366-1694. *For legal issues:* Ms. Jin Kim, Office of Chief Counsel, NCC-113, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; Telephone: (202) 366-1834.

**SUPPLEMENTARY INFORMATION:** On August 2, 1994, the National Highway Traffic Safety Administration (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 (59 FR 65128), identifying the devices that meet NHTSA's Model Specifications for Screening Devices to

Measure Alcohol in Bodily Fluids. Five devices appeared on that first list. Thereafter, NHTSA updated the CPL on August 15, 1995 (60 FR 42214), May 4, 2001 (66 FR 22639), September 19, 2005 (70 FR 54972), with corrections on December 5, 2005 (70 FR 72502), and January 31, 2007 (72 FR 4559).

On March 31, 2008, NHTSA published revised Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids (73 FR 16956). These specifications removed testing of interpretive screening devices (ISDs) because ISDs did not provide an unambiguous test result. These specifications also removed from use the Breath Alcohol Sample Simulator as it is not necessary for testing breath alcohol screening devices. All other performance criteria and test methods were maintained. NHTSA last published an update to the CPL on December 15, 2009 (74 FR 66398). It listed 39 devices.

Today, NHTSA adds nine (9) additional alcohol screening devices

that have been evaluated and found to conform to the Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids. One device is distributed by two different companies, so it has been listed twice, for a total of ten (10) new entries on this CPL.

(1) AK Solutions USA, LLC, submitted the AlcoMate SafeGuard (Model AL-2500, aka: AlcoScan AL-2500) alcohol screening device. This is a handheld, battery powered device with a semiconductor sensor.

(2) Alcohol Countermeasure Systems Corp., submitted the DRIVESAFE alcohol screening device. This is a handheld, battery powered device with a fuel cell sensor.

(3) KHN Solutions, LLC, submitted 2 screening devices for testing. Their trade names are: BACTRACK Element and the BACTRACK S75 Pro. Both devices are handheld, battery powered with fuel cell sensors.

(4) PAS Systems International, Inc. submitted the Alcovisor MARS

screening device. This is a handheld, battery powered device with a fuel cell sensor.

(5) Q3 Innovations, Inc. submitted the CA2010 screening device. This is a handheld, battery powered device with a semiconductor sensor.

(6) Skyfine Inc. Ltd. submitted 3 devices (AT577, AT578, and AT579). All three devices are handheld, battery powered, and use fuel cell sensors. The AT578 is also distributed by Express Diagnostics Int'l, Blue Earth, Minnesota under the trade name of AlcoCheck FC90, so it has been listed twice on the CPL, once under each of its distributors/manufacturers.

All of the above devices meet the NHTSA Model Specifications for Screening Devices to Measure Alcohol in Bodily Fluids.

Consistent with the above, NHTSA updates the Conforming Products List of Screening Devices to Measure Alcohol in Bodily Fluids to read as follows:

CONFORMING PRODUCTS LIST OF ALCOHOL SCREENING DEVICES

Distributors/manufacturers	Devices
AK Solutions, USA, LLC., Palisades Park, New Jersey <sup>1</sup> .....	<ul style="list-style-type: none"> <li>• AlcoScan AL-2500.</li> <li>• SafeMate.<sup>2</sup></li> <li>• SafeDrive.</li> <li>• AlcoMate.<sup>3</sup> (aka: AlcoHAWK Pro by Q3 Innovations).</li> <li>• AlcoMate Accu Cell AL-9000.</li> <li>• AlcoMate Pro.<sup>3</sup></li> <li>• AlcoMate Core.<sup>4</sup></li> <li>• AlcoMate Premium AL-7000, with replaceable Premium Sensor Modules (SM-7000).<sup>4,5</sup></li> <li>• AlcoMate Prestige AL-6000, with replaceable Prestige Sensor Modules (SM-6000).<sup>4,6</sup></li> <li>• AlcoMate SafeGuard (Model AL-2500, aka: AlcoScan AL-2500).</li> </ul>
Alco Check International, Hudsonville, Michigan .....	Alco Check 3000 D.O.T. <sup>7</sup> Alco Check 9000. <sup>7</sup>
Akers Biosciences, Inc., Thorofare, New Jersey .....	Breath Alcohol ✓ .02 Detection System. <sup>8</sup>
Alcohol Countermeasure Systems Corp., Toronto, Ontario, Canada .....	DRIVESAFE.
BAC Solutions, Inc., Birmingham, Michigan .....	BACmaster.
B.E.S.T. Labs., Boardman, Ohio .....	PB 9000e.
Chematics, Inc., North Webster, Indiana .....	ALCO-SCREEN 02 <sup>TM9</sup> .
CMI, Inc., Owensboro, Kentucky .....	Intoxilyzer 500 (aka: Alcometer 500—Lion Laboratories).
Express Diagnostics Int'l, Inc., Blue Earth, Minnesota .....	AlcoCheck FC90 (aka: AT578 by Skyfine).
First Innovative Technology Group, Ltd., Hong Kong .....	AAT198—Pro.
Guth Laboratories, Inc., Harrisburg, Pennsylvania .....	<ul style="list-style-type: none"> <li>• Alco Tector Mark X.</li> <li>• Mark X Alcohol Checker.</li> <li>• Alcotector WAT89EC-1.</li> <li>• Alcotector WAT90.</li> </ul>
Han International Co., Ltd., <sup>2</sup> Seoul, Korea .....	A.B.I. (Alcohol Breath Indicator) (aka: AlcoHAWK ABI by Q3 Innovations).
KHN Solutions, LLC, San Francisco, California .....	<ul style="list-style-type: none"> <li>• BACTRACK Select S50.<sup>10</sup></li> <li>• BACTRACK Select S80.<sup>10</sup></li> <li>• BACTRACK Element.</li> <li>• BACTRACK S 75 Pro.</li> </ul>
Lion Laboratories, Ltd., Wales, United Kingdom .....	Alcometer 500 (aka: Intoxilyzer 500—CMI, Inc.).
OraSure Technologies, Inc., Bethlehem, Pennsylvania .....	Q.E.D. A150 Saliva Alcohol Test.
PAS Systems International, Inc., Fredericksburg, Virginia .....	<ul style="list-style-type: none"> <li>• PAS Vr.</li> <li>• Alcovisor MARS.</li> </ul>
Q3 Innovations, Inc., Independence, Iowa .....	<ul style="list-style-type: none"> <li>• AlcoHAWK Precision.</li> <li>• AlcoHAWK Slim.</li> <li>• AlcoHAWK Slim 2.</li> <li>• AlcoHAWK Elite.</li> <li>• AlcoHAWK ABI (aka: A.B.I. (Alcohol Breath Indicator) by Han Intl.).</li> <li>• AlcoHAWK Micro.</li> <li>• AlcoHAWK PRO (aka: AlcoMate by AK Solutions).</li> </ul>

## CONFORMING PRODUCTS LIST OF ALCOHOL SCREENING DEVICES—Continued

Distributors/manufacturers	Devices
Repeco Marketing, Inc., Raleigh, North Carolina .....	• AlcoHAWK PT 500.
Seju Engineering Co., Taejeon, Korea .....	• CA2010.
Skyfine Inc., Ltd., Kwai Chung, NT, Hong Kong .....	Alco Tec III.
	Safe-Slim.
	• AT577.
	• AT578 (aka: AlcoCheck FC90).
	• AT579.
Sound Off, Inc., Hudsonville, Michigan .....	Digitox D.O.T. <sup>7</sup>
Varian, Inc., Lake Forest, California .....	On-Site Alcohol. <sup>10</sup>

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

<sup>2</sup> Manufactured by Seju Engineering, Korea.

<sup>3</sup> Han International does not market or sell devices directly in the U.S. market. Other devices manufactured by Han International are listed under AK Solutions, Inc. and Q3 Innovations, Inc.

<sup>4</sup> Manufactured by Sentech Korea Corp.

<sup>5</sup> These devices utilize replaceable semiconductor detectors. Instead of re-calibrating the device, a new calibrated detector can be installed. The device comes with 4 detectors including the one that was already installed.

<sup>6</sup> These devices utilize replaceable semiconductor detectors. Instead of re-calibrating the device, a new calibrated detector can be installed. This device comes with 5 detectors including the one that was already installed.

<sup>7</sup> While these devices are still being sold, they are no longer manufactured or supported.

<sup>8</sup> 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.

<sup>9</sup> While the ALCO-SCREEN 02™ saliva-alcohol screening device manufactured by Chematics, Inc. passed the requirements of the Model Specifications when tested at 40 °C (104 °F), the manufacturer has indicated that the device cannot exceed storage temperatures of 27 °C (80 °F). Instructions to this effect are stated on all packaging accompanying the device. Accordingly, the device should not be stored at temperatures above 27 °C (80 °F). If the device is stored at or below 27 °C (80 °F) and used at higher temperatures (i.e., within a minute), the device meets the Model Specifications and the results persist for 10–15 minutes. If the device is stored at or below 27 °C (80 °F) and equilibrated at 40 °C (104 °F) for an hour prior to sample application, the device fails to meet the Model Specifications. Storage at temperatures above 27 °C (80 °F), for even brief periods of time, may result in false negative readings.

<sup>10</sup> While this device passed all of the requirements of the Model Specifications, readings should be taken only after the time specified by the manufacturer. For valid readings, the user should follow the manufacturer's instructions. Readings should be taken one (1) minute after a sample is introduced at or above 30 °C (86 °F); readings should be taken after two (2) minutes at 18 °C–29 °C (64.4 °F–84.2 °F); and readings should be taken after five (5) minutes when testing at temperatures at or below 17 °C (62.6 °F). If the reading is taken before five (5) minutes has elapsed under the cold conditions, the user is likely to obtain a reading that underestimates the actual saliva-alcohol level.

**Authority:** 23 U.S.C. 403; 49 CFR 1.50; 49 CFR part 501.

Issued on: June 11, 2012.

**Jeff Michael,**

Associate Administrator, Research and Program Development, National Highway Traffic Safety Administration.

[FR Doc. 2012-14582 Filed 6-13-12; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0061]

#### Highway Safety Programs; Conforming Products List of Evidential Breath Alcohol Measurement Devices

**AGENCY:** National Highway Traffic Safety Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** This notice updates the Conforming Products List (CPL) published in the **Federal Register** on March 11, 2010 (75 FR 11624) for instruments that conform to the Model Specifications for Evidential Breath Alcohol Measurement Devices dated, September 17, 1993 (58 FR 48705).

**DATES:** *Effective Date:* June 14, 2012.

**FOR FURTHER INFORMATION CONTACT:** *For technical issues:* Ms. De Carlo Ciccel, Behavioral Research Division, NTI-131, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; Telephone: (202) 366-1694. *For legal issues:* Ms. Jin Kim, Office of Chief Counsel, NCC-113, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590; Telephone: (202) 366-1834.

**SUPPLEMENTARY 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 (Model Specifications), and published a Conforming Products List (CPL) of instruments that were found to conform to the Model Specifications as Appendix D to that notice. Those instruments are identified on the CPL with an asterisk.

On September 17, 1993, NHTSA published a notice to amend the Model Specifications (58 FR 48705) and to update the CPL. That 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, respectively. It also included a test for the presence of acetone and an expanded definition of alcohol to include other low molecular weight alcohols, e.g., methyl or isopropyl. Since that time, the CPL has been annotated to indicate which instruments have been determined to meet the Model Specifications published in 1984, and which have been determined to meet the Model Specifications, as revised and published in 1993. Thereafter, NHTSA has periodically updated the CPL with those breath instruments found to conform to the Model Specifications. The most recent update to the CPL was published March 11, 2010 (75 FR 11624).

The CPL published today adds nine (9) new instruments that have been evaluated and found to conform to the Model Specifications, as amended on September 17, 1993 for mobile and non-mobile use. One instrument is distributed by two different companies, so it has been listed twice, for a total of