

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.

Issued on: March 10, 1995.

**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