

Dated: September 17, 2007.

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 49 CFR Part 40

#### Procedures for Transportation Workplace Drug and Alcohol Testing Programs

##### *CFR Correction*

In Title 49 of the Code of Federal Regulations, Parts 1 to 99, revised as of October 1, 2006, the heading for § 40.209, on page 680 is corrected to read as follows:

#### **§ 40.209 What procedural problems do not result in the cancellation of a test and do not require correction?**

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 541

[Docket No. NHTSA-2007-28497]

RIN 2127-AJ97

#### **Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2008 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2008**

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

**ACTION:** Final rule.

**SUMMARY:** This final rule announces NHTSA's determination that no new model year (MY) 2008 light duty truck lines are subject to the parts-marking requirements of the Federal motor vehicle theft prevention standard because they have been determined by the agency to be high-theft or that they have a majority of interchangeable parts with those of a passenger motor vehicle line. This final rule also identifies those vehicle lines that are exempted from the parts-marking requirements because the

vehicles are equipped with antitheft devices determined to meet certain statutory criteria pursuant to the statute relating to motor vehicle theft prevention.

**DATES:** *Effective Date:* The amendment made by this final rule is effective September 26, 2007.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rosalind Proctor, Consumer Programs Division, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, West Building, 1200 New Jersey Avenue, SE., (NVS-131, Room W43-302) Washington, DC 20590. Ms. Proctor's telephone number is (202) 366-0846. Her fax number is (202) 493-0073.

**SUPPLEMENTARY INFORMATION:** On April 6, 2004, the agency published in the **Federal Register** (69 FR 17960) a final rule extending the parts marking requirements to certain vehicle lines that were not previously subject to these requirements: (1) All low-theft passenger car lines; (2) all low-theft multipurpose passenger vehicle (MPV) lines with a gross vehicle weight rating (GVWR) of 6,000 pounds or less; and (3) low-theft light-duty truck (LDT) lines with a GVWR of 6,000 pounds or less that have major parts that are interchangeable with a majority of the covered major parts of passenger cars or MPVs. The high-theft vehicle lines that were previously exempted under 49 CFR Part 543 on the grounds that they were equipped with an antitheft device as standard equipment were unaffected by the April 2004 final rule. The agency also stated that it would continue to grant exemptions for one vehicle line per model year. The final rule is effective September 1, 2006.

The purpose of the theft prevention standard (49 CFR Part 541) is to reduce the incidence of motor vehicle theft by facilitating the tracing and recovery of parts from stolen vehicles. The standard seeks to facilitate such tracing by requiring that vehicle identification numbers (VINs), VIN derivative numbers, or other symbols be placed on major component vehicle parts. The theft prevention standard requires motor vehicle manufacturers to inscribe or affix VINs onto covered original equipment major component parts, and to inscribe or affix a symbol identifying the manufacturer and a common symbol identifying the replacement component parts for those original equipment parts, on all vehicle lines subject to the requirements of the standard.

Section 33104(d) provides that once a line has become subject to the theft prevention standard, the line remains subject to the requirements of the

standard unless it is exempted under § 33106. Section 33106 provides that a manufacturer may petition to have a line exempted from the requirements of § 33104, if the line is equipped with an antitheft device as standard equipment. The exemption is granted if NHTSA determines that the antitheft device is likely to be as effective as compliance with the theft prevention standard in reducing and deterring motor vehicle thefts.

The agency annually publishes the names of those vehicle lines that are exempted from the theft prevention standard for a given model year under section 33104. Appendix A to Part 541 identifies those new light-duty truck lines listed for the first time that will be subject to the theft prevention standard beginning in a given model year. Appendix A-1 to Part 541 identifies those vehicle lines that are or have been exempted from the theft prevention standard.

Beginning September 1, 2006, all passenger cars, all MPVs (with a gross vehicle weight rating of 6,000 pounds or less), all light duty trucks (with a gross vehicle weight rating of 6,000 pounds or less) determined to be high-theft in accordance with 49 CFR 542.1, and all low-theft light duty trucks (with a gross vehicle weight rating of 6,000 pounds or less) having a majority of their interchangeable parts with those of a passenger motor vehicle line in accordance with 49 CFR 542.2 became subject to the parts marking requirements. At least 50 percent of the production volume not subject to the current parts marking requirements (excluding light duty trucks) must have been marked by September 1, 2006. The remaining production volume not subject to the current parts marking requirements must be marked by September 1, 2007 (see 70 FR 28843, May 19, 2005). On April 19, 2006, the final listing of MY 2007 high-theft vehicle lines was published in the **Federal Register** (71 FR 20022).

The final listing identified that there were no new vehicle lines that became subject to the theft prevention standard beginning with the 2007 model year. For MY 2008, there were no new light-duty truck lines identified that became subject to the theft prevention standard in accordance with the procedures published in 49 CFR Part 542.

Subsequent to publishing the 2007 final rule, two manufacturers petitioned the agency for an exemption from the parts marking requirements of the Federal motor vehicle theft prevention standard. The agency granted petitions for exemptions to the Ford Motor Company for the Five Hundred vehicle