

**TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE  
CHAPTER 10. PERSONNEL**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 10. Personnel  
40:10-3-7 [AMENDED]

**SUMMARY:**

The proposed rule amendments update and clarify the requirements related to Breath Alcohol Instructor Permits. The amendments remove extraneous, outdated or repetitive language regarding the above referenced permit in an effort to simplify the rules. The amendments clarify the respective roles of the Board and the State Director of Tests in relation to training and instructors.

**AUTHORITY:**

47 O.S. §759

**COMMENT PERIOD:**

Persons may submit written comments to Kevin Behrens, State Director, at P.O. Box 36307, Oklahoma City, OK 73136. Persons may submit oral comments to Kevin Behrens, State Director at 3600 North Martin Luther King Ave., Building 9, Oklahoma City, OK 73111 between 8:00 a.m. and 4:30 p.m. Monday through Friday. Comments will be accepted from January 15, 2015 until February 19, 2015.

**PUBLIC HEARING:**

A public hearing will be held to provide an opportunity for persons to present their views regarding the proposed rulemaking action. Each person will be allowed a maximum of 10 minutes to speak. All persons wishing to comment must sign in at the door. The hearing will be held on February 19, 2015, at 9:00 a.m. at the Administrative Offices of the Board, located at 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Interested persons may inspect proposed rules at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Copies of proposed rules may be obtained at a cost of 10 cents per page copying charge from the Board of Tests for Alcohol and Drug Influence, P.O. Box 36307, Oklahoma City, OK 73136. The proposed rules are also available on the Board's website at [www.ok.gov/bot](http://www.ok.gov/bot).

**RULE IMPACT STATEMENT:**

RECEIVED

DEC 23 2014  
14-1068  
OKLAHOMA SECRETARY  
OF STATE

Pursuant to 75. O.S. §303(D), a rule impact statement will be prepared and will be available on and after publication of this notice on January 15, 2015 at the same locations, and on the same terms, listed above for reviewing and obtaining copies of the proposed rules.

**CONTACT PERSON:**

Kevin Behrens, State Director of Tests, 405-425-2460

**TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE  
CHAPTER 20. SPECIMENS**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 20. Specimens  
40:20-1-3 [AMENDED]

**SUMMARY:**

The proposed amendments remove ambiguity in the guidance for processing blood samples once they are withdrawn by replacing “promptly” with a specific timeframe of 24 hours. The proposed amendments also include definitional language to clarify what is meant by “dispatching or forwarding” the blood samples once withdrawn.

**AUTHORITY:**

47 O.S. §759

**COMMENT PERIOD:**

Persons may submit written comments to Kevin Behrens, State Director, at P.O. Box 36307, Oklahoma City, OK 73136. Persons may submit oral comments to Kevin Behrens, State Director at 3600 North Martin Luther King Ave., Building 9, Oklahoma City, OK 73111 between 8:00 a.m. and 4:30 p.m. Monday through Friday. Comments will be accepted from January 15, 2015 until February 19, 2015.

**PUBLIC HEARING:**

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**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Interested persons may inspect proposed rules at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 N. Martin Luther King Ave., Building 9, Oklahoma City, OK 73111, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m. Copies of proposed rules may be obtained at a cost of 10 cents per page copying charge from the Board of Tests for Alcohol and Drug Influence, P.O. Box 36307, Oklahoma City, OK 73136. The proposed rules are also available on the Board’s website at [www.ok.gov/bot](http://www.ok.gov/bot).

**RULE IMPACT STATEMENT:**

Pursuant to 75. O.S. §303(D), a rule impact statement will be prepared and will be available on and after publication of this notice on January 15, 2015 at the same locations, and on the same terms, listed above for reviewing and obtaining copies of the proposed rules.

RECEIVED

DEC 23 2014  
14-1069  
OKLAHOMA SECRETARY  
OF STATE

**CONTACT PERSON:**

Kevin Behrens, State Director of Tests, 405-425-2460

**TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE  
CHAPTER 50. IGNITION INTERLOCK DEVICES**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 50. Ignition Interlock Devices

- 40:50-1-1.1. Definitions [AMENDED]
- 40:50-1-2. Device Certification Process [AMENDED]
- 40:50-1-2.3. Revocation of Certification [AMENDED]
- 40:50-1-3. Standards and Specifications [AMENDED]
  - 40:50-1-3.1. Violation Reset [AMENDED]
  - 40:50-1-3.2. Reportable Violations [AMENDED]
- 40:50-1-7. Service center licensing process [AMENDED]
  - 40:50-1-7.3. Inactivation, suspension, and revocation [AMENDED]
- 40:50-1-8.3. Inactivation, suspension, and revocation [AMENDED]
- 40:50-1-12. Reciprocity [NEW]

RECEIVED

DEC 23 2014  
*Y-107R*  
OKLAHOMA SECRETARY  
OF STATE

**SUMMARY:**

The proposed rules clarify definitions and terms to reflect industry best practices and promote consistency within the rules. The proposed rules include minor changes to reflect the practice of the agency with regard to device certification as well as suspension, inactivation, and revocation of both service center and technician licenses. With regard to device standards and specifications, the proposed rules include the adoption of a confirmatory test to address the issue of possible circumvention of the ignition interlock device. The proposed rules provide greater flexibility to vendors by increasing the spacing of service centers from 25 miles to 40 miles in the event of a service center inactivation, suspension, or revocation. The new proposed rule provides guidelines for the agency to deal with the emerging issues related to reciprocity and competing interstate installation requirements.

**AUTHORITY:**

47 O.S. §759

**COMMENT PERIOD:**

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**PUBLIC HEARING:**

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**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

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**RULE IMPACT STATEMENT:**

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**CONTACT PERSON:**

Kevin Behrens, State Director of Tests, 405-425-2460