

40:25-1-1. Purpose

The rules in this chapter concern the method of approving apparatus, devices, and equipment, materials, supplies and other items used for or involved in tests for alcohol and other intoxicating substances under the provisions of 47 O.S., Sections 751-761 and 3 O.S., Section 303 and 63 O.S., Section 4210A.

40:25-1-2. Approved evidential breath-alcohol measurement devices

The Intoxilyzer 8000, an automated analyzer, is hereby approved for determining the presence or concentration of alcohol in subject's breath.

40:25-1-2.1. Approved breath-alcohol measurement equipment and reference solutions

Devices or equipment listed on the current or supplemented *Conforming Products List of Calibrating Units for Breath Alcohol Testers* (72 FR 34747), published by the National Highway Traffic Safety Administration in conjunction with National Institute of Standards and Technology (NIST) traceable alcohol reference solutions are approved for use with the approved evidential breath-alcohol measurement device or any other approved breath alcohol screening devices.

40:25-1-3. Approved dry gas canisters

- (a) Any pressurized dry gas canister labeled by the manufacturer with a target value of 0.080 BAC, 2% or .002, whichever is greater, is hereby approved for use in association with approved evidential breath alcohol measurement devices.
- (b) The State Director of Tests, in accordance with the needs of the agency, may deploy dry gas canisters approved by this section for the purpose of performing calibration checks of approved evidential breath alcohol measurement devices.
- (c) The State Director of Tests shall maintain a list of the dry gas canisters approved by this section that have been deployed by the agency.

40:25-1-4. Disposable materials, supplies, and paraphernalia [REVOKED]

40:25-1-5. Approval of equipment for breath-alcohol analysis

Any manufacturer of any apparatus, device, or equipment made for the purpose of analyzing the alcoholic content of breath, or for the purpose of simulating specimens of breath of known alcoholic content, may request this Board to approve such apparatus, device, or equipment. The Board will consider said request upon submission of such information, instructions for use, exemplars, and other pertinent data as the Board may request.