# Rules of

**Department of Health and Senior Services**

**Division 25—Division of Administration**

**Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva and Urine Analysis; and Determination for the Presence of Drugs in Blood and Urine**

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Title 19—DEPARTMENT OF HEALTH
Division 25—Division of Administration
Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva and Urine Analysis; and Determination for the Presence of Drugs in Blood and Urine


PURPOSE: This rule provides general information regarding the applicability of the rules in this chapter, definitions of terms, permits and operation of breath analyzers.

(1) Only those laboratories or persons performing analysis of blood, breath, urine or saliva for the determination of blood alcohol content, or of blood and urine for the presence of drugs—at the direction of a law enforcement officer acting under the provisions of sections 577.020–577.039, RSMo, 577.041, RSMo and 306.111–306.119, RSMo—are subject to the rules in this chapter.

(2) The following definitions shall be used in the interpretation and enforcement of the rules in this chapter:

(A) Blood alcohol content is the alcohol content of blood expressed as a percentage based on grams of alcohol per one hundred (100) milliliters of blood or grams of alcohol per two hundred ten (210) liters of breath;

(B) Breath analyzer is an instrument which measures and expresses the blood alcohol content from a sample of expired (alveolar) air;

(C) Department is the Missouri Department of Health;

(D) Drugs are illegal or controlled chemical substances, other than alcohol, that are capable of impairing an individual’s ability to operate a motor vehicle;

(E) Field repairs are the repairs on breath analyzers at locations other than at a manufacturer’s facility;

(F) Maintenance checks are the standardized and prescribed procedures used to determine that a breath analyzer is functioning properly and is operating in accordance with the operational procedures established by the Department of Health; and

(G) Permit is the written authorization from the Department of Health for an individual to perform analyses of blood, breath, urine or saliva for blood alcohol content; to perform analyses on blood or urine for drugs; to operate breath analyzers; to supervise operators of breath analyzers; to serve as instructors of training courses; and to perform form field repairs and maintenance checks on breath analyzers.

(3) The chemical analysis of a person’s blood, breath, urine or saliva conducted under the provisions of 577.020–577.039, RSMo, 577.041, RSMo, and 306.111-306.119, RSMo, shall be performed by licensed medical personnel or by personnel possessing a valid permit issued by the department.

(A) Permits are valid for two (2) years from the date of issuance.

(B) A permittee is authorized to perform only those tests for analysis, or to operate or maintain those breath analyzers that are specified on the permit.

(C) A permit may not be used as an endorsement from the department for promotional or commercial purposes.

(4) Applications for permits and renewals of permits shall be made on forms (see 19 CSR 25-30.021, 19 CSR 25-30.031 or 19 CSR 25-30.041) available from the director, State Public Health Laboratory, 307 W. McCarty Street, Jefferson City, MO 65101. Requests for approval of instruments, methods or training courses shall be made to the director, State Public Health Laboratory. Criteria and standards used for approval purposes shall be provided upon request by the State Public Health Laboratory.

(5) Breath analyzers shall be operated strictly in accordance with the procedures set forth in 19 CSR 25-30.060. (A) An operational checklist, including the certification section, shall be completed with each breath test at the time of the test, by the individual performing the test.

(B) An individual permitted to operate a breath analyzer shall—

1. Immediately suspend use of a breath analyzer that is not functioning properly; and

2. Submit to periodic reviews, examinations or surveys conducted by the department.

(6) The department shall initiate proceedings to revoke a permit when there is evidence of false or misrepresented information given on an application or renewal for a permit; when there is evidence that the permittee has falsified reports, negligently performed analyses or reported results, used an instrument or method not approved by the department, performed analyses not authorized by the permit, or has used the permit for promotional or commercial purposes; or when the permittee has repeatedly demonstrated an inability to accurately and properly perform analyses or satisfactorily meet the responsibilities of the permit.

(A) The department shall provide written notice of the revocation to the permittee and the employee of the permittee.

(B) The notice shall contain a summary of the evidence supporting the revocation.


Collins v. Director of Revenue, 691 SW2d 246 (Mo. banc. 1985); Jannett v. King, 687 SW2d 252 (Mo. App. 1985); Stuart v. Director of Revenue, 761 SW2d 234 (Mo. App. 1988). Prima facie case for admission of breath analysis test results is made if the test is administered by a certified operator in accordance with promulgated operating procedures.

Collins v. Director of Revenue, 691 SW2d 246 (Mo. banc. 1985); Stuart v. Director of Revenue, 761 SW2d 234 (Mo. App. 1988). A contention that a breath analysis instrument was not functioning properly can only be made if supported by some evidence which suggests that a malfunction occurred despite adherence to correct test methods.

Williams v. Director of Revenue, 721 SW2d 797 (Mo. App. 1986). The results of approved breath analysis tests are measured by weight.

19 CSR 25-30.021 Type I Permit

PURPOSE: This rule establishes the qualifications, duties and responsibilities of a Type I permittee.

(1) A Type I permittee authorizes an individual to perform analyses of blood, breath, urine and saliva for blood alcohol content and to perform analyses of blood or urine for the presence of drugs.
(2) An applicant for a Type I permit shall not be less than twenty-one (21) years of age and shall possess a baccalaureate degree in chemical, physical or biological science from an accredited college or university or shall have at least two (2) years of relevant analytical experience and the equivalent of at least two (2) years of college-level education with at least half of the credit hours earned in the chemical, physical or biological sciences.

(A) To perform tests using a breath analyzer, the applicant shall meet the requirements for operators of breath analyzers in 19 CSR 25-30.041.

(B) To perform analyses of blood, urine or saliva for blood alcohol content, the department shall send three (3) check specimens to the applicant for analysis. The applicant shall perform the analyses within the time set by the department. The results reported on the three (3) samples must be within five percent (5%) of the true value. A second set of three (3) check samples shall be sent to the applicant if the results from the first set were unsatisfactory. If the results from the second set of check samples are unsatisfactory, the department shall return the application. Any further efforts to meet this condition for completion of the application shall be made at the discretion of the department based on the nature of the problem; the ability of the applicant; and the facility, equipment and methods that were employed.

(3) A Type I permittee shall maintain complete records of testing, quality assurance data, logbooks and other documentation related to the performance of tests as established under general standards of laboratory practice and chain-of-custody procedures.

(4) The Permittee Shall Make Request for Renewal of the Permit.

(A) If the permittee is authorized to perform breath testing, the provisions for renewal of permits of 19 CSR 25-30.041(3) shall apply.

(B) All provisions of subsection (2)(B) of this rule shall apply for renewal of a permit authorizing the analysis of blood, urine or saliva for blood alcohol content. A set of three (3) check samples shall be satisfactorily analyzed during the last year of the current permit.

(5) Type I permits issued before September 29, 1988 shall be considered valid under the conditions of this rule for determination of blood alcohol content. Individuals presently holding Type I permits who wish to perform analyses for drugs must apply for a new Type I permit.


Stuart v. Director of Revenue, 761 SW2d 234 (Mo. App. 1988). A Type II permittee is qualified to testify as an expert on technical matters and permissible temperature tolerances.

Miller v. Director of Revenue, 719 SW2d 787 (Mo. banc 1986); Elkins v. Director of Revenue, 728 SW2d 567 (Mo. App. 1987). Possession of a permit is a matter within the personal knowledge of the permittee. Testimony by a permittee is sufficient to prove the permittee’s qualifications to administer the tests.
MISSOURI DEPARTMENT OF HEALTH

PERMIT

TYPE 1

[Blank]

is hereby authorized to determine the content of ___________________________

(TYPE IN "ALCOHOL" OR "DRUGS" OR BOTH)

from a sample of __________________________ utilizing approved standard chemical methods.

(TYPE IN "BLOOD," "SALIVA" OR "URINE")

Permit issued under the provisions of sections 577.020 through 577.041 RSMo (1986).

<table>
<thead>
<tr>
<th>DATE</th>
<th>NUMBER</th>
<th>EXPIRES</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

DIRECTOR, STATE PUBLIC HEALTH LABORATORIES
DIRECTOR, DEPARTMENT OF HEALTH

MO 580-1242 (5-88) LAB-2 (RS-88)
### Application for Type I Permit

**Name**

**Age**

**Telephone Number**

**Organization**

**Business Address (Street, City, State, Zip Code)**

**Director's Name**

**Telephone**

- [ ] New Permit
- [ ] Renewal
- **Permit Number**
- **Expiration Date**

**Alcohol Analysis:**
- [ ] Blood
- [ ] Saliva
- [ ] Urine

**Drug Analysis:**
- [ ] Blood
- [ ] Urine

### Education

<table>
<thead>
<tr>
<th>College or University</th>
<th>Years Attended</th>
<th>Hours Qtrs/Sem.</th>
<th>Major</th>
<th>Minor</th>
<th>Degree</th>
<th>Graduated</th>
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</thead>
</table>

### Other Relevant Training

<table>
<thead>
<tr>
<th>Course or Program Title</th>
<th>Agency or Institution</th>
<th>Dates</th>
</tr>
</thead>
</table>

### Analytical Experience

<table>
<thead>
<tr>
<th>Organization</th>
<th>Dates Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

**For Drug Testing Only,** Provide name of proficiency testing program(s) your facility subscribes to:

### Methods Used for Analysis

**Alcohol**
- [ ] Gas or liquid chromatography
- [ ] Spectrophotometric or colorimetric analysis
- [ ] Titration (dichromate reduction)

**Drugs**
- [ ] Enzymeimmunoassay (EIA)
- [ ] Fluorescence immunoassay (FIA)
- [ ] Radioligand assay (RIA)
- [ ] Gas-Liquid Chromatography (GLC)
- [ ] Thin Layer Chromatography (TLC)
- [ ] High-Pressure Liquid Chromatography (HPLC)
- [ ] Ultra-Violet Spectrophotometry (UV)
- [ ] Gas Chromatography/Mass Spectrometry (GC/MS)
19 CSR 25-30.031 Type II Permit

PURPOSE: This rule establishes the qualifications, duties and responsibilities of a Type II permittee and establishes a maintenance report to be used for each of the approved breath analyzers in 19 CSR 20-30.050.

(1) A Type II permit authorizes an individual to operate a breath analyzer and to perform any of the following duties: to conduct training courses for the operation of breath analyzers that are approved by the department, to conduct training courses approved by the department to qualify for a Type II permit, to make field repairs on breath analyzers as indicated on the permit, to perform maintenance checks on breath analyzers as required by the department and to supervise operators of breath analyzers.

(2) An applicant for a Type II permit shall not be less than twenty-one (21) years of age. In addition, the applicant successfully shall complete a training course approved by the department for obtaining a Type II permit.

(3) A Type II permittee shall perform maintenance checks on breath analyzers under his/her supervision at intervals not to exceed thirty-five (35) days. The permittee shall retain the original report of the maintenance check and submit a copy of the report so that it shall be received by the department within fifteen (15) days from the date the maintenance check was performed. In addition, maintenance checks shall be completed when—
   (A) A new instrument is placed into service; or
   (B) The instrument has been repaired or recalibrated.

(4) Type II permittees shall maintain complete records as required in 19 CSR 25-30.021(3) and in 19 CSR 25-30.011(5)(A). Type II permittees shall provide oversight and assistance to assure the competency of the operators under their supervision. They shall conduct training courses as approved by the department.

(5) To renew a Type II permit, the applicant shall have completed at least two (2) maintenance checks and at least ten (10) tests on drinking subjects, following the operational checklists, within the past year on each breath analyzer for which renewal is requested. Copies of the maintenance checks and the operational checklists and printouts for the five (5) subject tests shall accompany the application for renewal.

(6) Type II permits issued before September 29, 1988, shall be considered valid under the conditions of this rule.

(7) For the maintenance checks referred to in sections (3)–(5) of this rule, the appropriate maintenance report form for the specific instrument being checked shall be used—
   (A) When performing a maintenance check on the CMI Intoxilyzer, Model 5000, Report No. 4 shall be used;
   (B) When performing a maintenance check on the BAC Verifier, Report No. 5 shall be used;
   (C) When performing a maintenance check on the Data Master, Report No. 6 shall be used;
   (D) When performing a maintenance check on the Alco-Sensor IV/RBT IV, Report No. 7 shall be used;
   (E) When performing a maintenance check on the Intoxilyzer 1400, Report No. 8 shall be used; and
   (F) When performing a maintenance check on the CMI Intoxilyzer 5000 CD, Report No. 9, shall be used.

(8) Maintenance report forms required in section (7) of this rule prior to June 7, 1993, and completed on maintenance checks before that date shall be considered valid under this rule.

(9) Maintenance reports completed before the effective date of this rule, including maintenance reports completed prior to March 26, 1996, and not having a certificate of analysis for the simulator solution, shall be considered valid under this rule.

is hereby authorized to instruct and supervise operators, train instructors, inspect, calibrate, perform field repairs, and operate the following breath analyzer(s):

for the determination of the alcoholic content of blood from a sample of expired (alveolar) air. Issued under the provisions of sections 577.020 through 577.041, RSMo 1986.

Date
Number
Expires

Director of State Public Health Laboratory

Director, Department of Health

MO 580-0771 (7-88)
MISSOURI DEPARTMENT OF HEALTH
STATE PUBLIC HEALTH LABORATORY
BREATHE ALCOHOL PROGRAM
APPLICATION FOR TYPE II PERMIT FOR OPERATION OF BREATHE ALCOHOL ANALYZERS

THIS APPLICATION IS FOR
☐ NEW PERMIT  ☐ RENEWAL

PERMIT NUMBER

EXP. DATE

DPS CERT. NUMBER AND DATE

NAME

TITLE

AGE

DEPARTMENT OR TROOP

TELEPHONE

BUSINESS ADDRESS (STREET, TOWN, ZIP):

LIST ALL ORIGINAL TRAINING COURSES FOR OPERATION OF BREATHE ANALYZERS.
(Also, please be sure an X is placed beside ALL breath analyzer(s) for which you are requesting a permit.)

<table>
<thead>
<tr>
<th>DATES OF COURSE</th>
<th>LOCATION OF COURSE</th>
<th>COURSE LENGTH (CLOCK HRS.)</th>
<th>NAME &amp; MODEL OF BREATHE ANALYZER</th>
<th>PLACE AN X Beside INSTRUMENTS FOR WHICH YOU REQUEST A PERMIT</th>
<th>NAME OF INSTRUCTOR</th>
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</table>

List the manufacturer and name of instruments for which you are currently performing maintenance reports on and the number of maintenance reports performed on EACH type in the last year. (Include copies of reports.)

<table>
<thead>
<tr>
<th>MANUFACTURER AND NAME OF INSTRUMENT</th>
<th>NUMBER OF MAINTENANCE REPORTS</th>
<th>NUMBER OF SUBJECT TESTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
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<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
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<tr>
<td>4.</td>
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</tbody>
</table>

When adding a new instrument, you receive a new two (2) year permit. Therefore, normal renewal procedures apply for the instruments on your current permit that you wish to transfer to the new permit. Disregarding those renewal procedures will result in a new permit for the new instrument only.

To renew a Type II permit, the applicant shall have completed two (2) maintenance reports and shall have performed at least ten (10) tests on drinking subjects in the past year on each instrument for which renewal is requested. If these conditions are not met, or the permit has expired for more than thirty (30) days, the applicant shall perform two (2) maintenance reports and five (5) subject tests for each breath analyzer for which renewal is requested. Copies of the maintenance reports, operational checklists, and printouts for the five (5) subject tests shall accompany the application for renewal.

SIGNATURE OF APPLICANT

RETURN COMPLETED APPLICATION TO THE:
DIRECTOR OF LABORATORIES, MISSOURI DEPARTMENT OF HEALTH, 307 W. McCARTY, JEFFERSON CITY, MO 65101

MATT BLUNT  (9/30/01)
Secretary of State
Complete this report in duplicate at the time of the regular monthly preventive maintenance check, and whenever instrument is repaired. Send copy to Department of Health; Retain original in department file.

<table>
<thead>
<tr>
<th>INTOXILYZER 5000 SN</th>
<th>DATE OF INSPECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION OF INSTRUMENT (STREET AND CITY)</td>
<td>TIME OF INSPECTION</td>
</tr>
</tbody>
</table>

**CHECKLIST**

Place a check (✓) to the left of each item if found to be satisfactory or if operating within established limits. (Write in observed values where determined.) Unchecked items must be corrected before using instrument.

- DVM TEST: (.350 ± .150)
- DIAGNOSTIC CHECK (PRINTOUT ATTACHED)
- CHARACTER DISPLAY TEST
- PRINT TEST (PRINTOUT ATTACHED)
- TIME AND DATE

- CALIBRATION CHECK —
  Run three tests using a standard solution. All three tests must be within ± 5% of the standard value and must have a spread of .005 or less. Check the box corresponding to the standard solution being used. (USE CAL. CHECK MODE) (PRINTOUT ATTACHED)
  - 0.100% STANDARD — MUST READ BETWEEN 0.095% AND 0.105% INCLUSIVE
  - 0.040% STANDARD — MUST READ BETWEEN 0.038% AND 0.042% INCLUSIVE
  **(ONLY ONE STANDARD IS TO BE USED PER MAINTENANCE REPORT)**

- TEST 1 ✓
- TEST 2 ✓
- TEST 3 ✓

- SIMULATOR TEMPERATURE (34° ± 2°C)
- PERFORM RFI TEST (PRINTOUT ATTACHED)
- NUMBER OF REFUSALS, SINCE LAST MAINTENANCE REPORT, AND NUMBER OF SUBJECT BREATH TESTS IN EACH RANGE AS FOLLOWS: (DO NOT INCLUDE SIMULATOR TESTS)

<table>
<thead>
<tr>
<th>REFUSALS</th>
<th>0-.04</th>
<th>.05-.09</th>
<th>.10-.14</th>
<th>.15-.19</th>
<th>Over .19</th>
</tr>
</thead>
</table>

List any new parts and describe any alteration or modification that was made to restore the instrument to operate satisfactorily and within established limits (use other side if necessary).

**INSPECTING OFFICER**

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>PRINT NAME</th>
</tr>
</thead>
</table>

**TYPE II PERMIT NUMBER/EXPIRATION DATE**

<table>
<thead>
<tr>
<th>MO 580-1355 (9-94)</th>
<th>TELEPHONE NUMBER</th>
</tr>
</thead>
</table>

*AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER*

**LAB-64**
**MISSOURI DEPARTMENT OF HEALTH**  
**STATE PUBLIC HEALTH LABORATORY**  
**BAC VERIFIER MAINTENANCE REPORT**

Complete this report in duplicate at the time of the regular monthly preventive maintenance check, and whenever instrument is repaired. Send copy to Department of Health; retain original in department file.

<table>
<thead>
<tr>
<th>BAC VERIFIER SN</th>
<th>DATE OF INSPECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION OF INSTRUMENT (STREET AND CITY)</td>
<td>TIME OF INSPECTION</td>
</tr>
</tbody>
</table>

**CHECKLIST:** Place a check (✓) to the left of each item if found to be satisfactory or if operating within established limits. (Write in observed values where determined.) Unchecked items must be corrected before using instrument.

- [ ] DIAGNOSTIC CHECK (PRINTOUT ATTACHED)
- [ ] COMPUTER
- [ ] DETECTOR
- [ ] PROGRAM
- [ ] FILTERS
- [ ] HEATERS SAMPLE CHAMBER
- [ ] ACETONE SWITCH
- [ ] SET ______ °C
- [ ] QUARTZ STANDARD
- [ ] ACTUAL ______ °C
- [ ] CALIBRATION
- [ ] PUMP HIGH SPEED
- [ ] PRINTER
- [ ] INDICATOR LIGHTS
- [ ] TIME AND DATE

**SIMULATOR TEMPERATURE (34 °C ± 0.2°C)**

- [ ] CALIBRATION CHECK -
  - Run three tests using a standard solution. All three tests must be within ± 5% of the standard value and must have a spread of .005 or less. Check the box corresponding to the standard solution being used. (PRINTOUT ATTACHED)
  - [ ] 0.100% STANDARD - MUST READ BETWEEN 0.095% and 0.105% INCLUSIVE
  - [ ] 0.040% STANDARD - MUST READ BETWEEN 0.038% and 0.042% INCLUSIVE

**ONLY ONE STANDARD IS TO BE USED PER MAINTENANCE REPORT**

<table>
<thead>
<tr>
<th>TEST 1</th>
<th>TEST 2</th>
<th>TEST 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
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</tbody>
</table>

- [ ] PERFORM R.F.I. TEST (PRINTOUT ATTACHED)

**NUMBER OF REFUSALS, SINCE LAST MAINTENANCE REPORT, AND NUMBER OF BREATH TESTS IN EACH RANGE AS FOLLOWS:** (DO NOT INCLUDE SIMULATOR TESTS)

<table>
<thead>
<tr>
<th>REFUSALS</th>
<th>(.04)</th>
<th>(.05-.09)</th>
<th>(.10-.14)</th>
<th>(.15-.19)</th>
<th>(Over .19)</th>
</tr>
</thead>
</table>

List any new parts and describe any alteration or modification that was made to restore the instrument to operate satisfactorily and within established limits (use other side if necessary)


**INSPECTING OFFICER**

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>PRINT NAME</th>
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<table>
<thead>
<tr>
<th>TYPE II PERMIT NUMBER/EXPIRATION DATE</th>
<th>TELEPHONE NUMBER</th>
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<td></td>
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</tbody>
</table>

MO 500-1137 (5-94)  
AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

MATT BLUNT  
Secretary of State
**DATAMASTER MAINTENANCE REPORT**

Complete this report in duplicate at the time of the regular monthly preventive maintenance check, and whenever instrument is repaired. Send copy to Department of Health, retain original in department file.

**DATAMASTER SN**

**DATE OF INSPECTION**

**LOCATION OF INSTRUMENT (STREET AND CITY)**

**TIME OF INSPECTION**

**CHECKLIST:** Place a check (✓) to the left of each item if found to be satisfactory or if operating within established limits. (Write in observed values where determined.) Unchecked items must be corrected before using instrument.

- [ ] DIAGNOSTIC CHECK (PRINTOUT ATTACHED)
  - [ ] COMPUTER
  - [ ] DETECTOR
  - [ ] PROGRAM
  - [ ] FILTERS
  - [ ] HEATERS SAMPLE CHAMBER: _____ °C
  - [ ] QUARTZ STANDARD
  - [ ] FLOW DETECTOR
  - [ ] CALIBRATION
  - [ ] PUMP HIGH SPEED
  - [ ] PRINTER

- [ ] INDICATOR LIGHTS

- [ ] TIME AND DATE

- [ ] SIMULATOR TEMPERATURE (34 °C ± 0.2°C)

- [ ] CALIBRATION CHECK -
  - Run three tests using a standard solution. All three tests must be within ± 5% of the standard value and must have a spread of .005 or less. Check the box corresponding to the standard solution being used. (PRINTOUT ATTACHED) (USE RECIRCULATION PUMP)
  - [ ] 0.100% STANDARD - MUST READ BETWEEN 0.095% and 0.105% INCLUSIVE
  - [ ] 0.040% STANDARD - MUST READ BETWEEN 0.036% and 0.042% INCLUSIVE
  - (ONLY ONE STANDARD IS TO BE USED PER MAINTENANCE REPORT)

<table>
<thead>
<tr>
<th>TEST 1</th>
<th>TEST 2</th>
<th>TEST 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

- [ ] PERFORM R.F.I. TEST (PRINTOUT ATTACHED)

- [ ] NUMBER OF REFUSALS, SINCE LAST MAINTENANCE REPORT, AND NUMBER OF BREATH TESTS IN EACH RANGE AS FOLLOWS: (DO NOT INCLUDE SIMULATOR TESTS)

<table>
<thead>
<tr>
<th>REFUSALS</th>
<th>(0-04)</th>
<th>(.05-.09)</th>
<th>(.10-.14)</th>
<th>(.15-.19)</th>
<th>(Over .19)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

List any new parts and describe any alteration or modification that was made to restore the instrument to operate satisfactorily and within established limits (use other side if necessary)

__________________________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________

**INSPECTING OFFICER**

**SIGNATURE**

**PRINT NAME**

**TYPE II PERMIT NUMBER/EXPIRATION DATE**

**TELEPHONE NUMBER**
# Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva and Urine Analysis; and Determination for the Presence of Drugs in Blood and Urine

## 19 CSR 25-30

### ALCO-SENSOR IV/RBT IV MAINTENANCE REPORT

Complete this report in duplicate at the time of the regular monthly preventive maintenance check, and whenever instrument is repaired. Send copy to Department of Health, retain original in department file.

<table>
<thead>
<tr>
<th>ALCO SENSOR IV SN</th>
<th>INSTR IV SN</th>
<th>DATE OF INSPECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION OF INSTRUMENT (STREET AND CITY)</td>
<td>TIME OF INSPECTION</td>
<td></td>
</tr>
</tbody>
</table>

CHECKLIST: Place a check (√) to the left of each item if found to be satisfactory or if operating within established limits. (Write in observed values where determined.) Unchecked items must be corrected before using instruments.

- [ ] **DIGITAL READOUT (ALL ELEMENTS OPERATIONAL)**
- [ ] **TEMPERATURE OF ALCO SENSOR (10°C - 40°C)**
- [ ] **PRINTER WORKING PROPERLY**
- [ ] **TIME AND DATE DISPLAYING PROPERLY**

- [ ] **CALIBRATION CHECK**
  - Run three tests using a standard solution. All three tests must be within ±5% of the standard value and must have a spread of .005 or less. Check the box corresponding to the standard solution being used.
    - 0.100% STANDARD - MUST READ BETWEEN 0.095% and 0.105% INCLUSIVE
    - 0.040% STANDARD - MUST READ BETWEEN 0.038% and 0.042% INCLUSIVE
  - (ONLY ONE STANDARD IS TO BE USED PER MAINTENANCE REPORT)

- [ ] **TEST 1**
- [ ] **TEST 2**
- [ ] **TEST 3**

- [ ] **SIMULATOR TEMPERATURE (34°±.2°C)**

- [ ] **RFI DETECTOR OPERATING**

- [ ] **NUMBER OF REFUSALS, SINCE LAST MAINTENANCE REPORT, AND NUMBER OF BREATH TESTS IN EACH RANGE AS FOLLOWS:** (DO NOT INCLUDE SIMULATOR TESTS)

<table>
<thead>
<tr>
<th>REFUSALS</th>
<th>(.04)</th>
<th>(.05-.09)</th>
<th>(.10-.14)</th>
<th>(.15-.19)</th>
<th>(Over .19)</th>
</tr>
</thead>
</table>

List any new parts and describe any alteration or modification that was made to restore the instrument to operate satisfactorily and within established limits (use other side if necessary)

---

**INSPECTING OFFICER**

<table>
<thead>
<tr>
<th>SIGNATURE</th>
<th>PRINT NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CERTIFICATE**

<table>
<thead>
<tr>
<th>TYPE II FLUORESCENT SPECTROPHOTOMETER</th>
<th>TELEPHONE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>MO 1351 (9/94)</td>
<td>LAB 114</td>
</tr>
</tbody>
</table>

**MATT BLUNT** (9/30/01)

Secretary of State

**CODE OF STATE REGULATIONS** 13
Complete this report in duplicate at the time of the regular monthly preventive maintenance check, and whenever instrument is repaired. Send copy to Department of Health; Retain original in department file.

<table>
<thead>
<tr>
<th>INTOXILYZER 1400SN</th>
<th>DATE OF INSPECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION OF INSTRUMENT (STREET AND CITY)</td>
<td>TIME OF INSPECTION</td>
</tr>
</tbody>
</table>

**CHECKLIST**

Place a check (✓) to the left of each item if found to be satisfactory or if operating within established limits. (Write in observed values where determined.) Unchecked items must be corrected before using instrument.

- **DVM TEST:**
  - CHANNEL 1 (100 ± 10)
  - CHANNEL 2 (200 ± 20)
  - CHANNEL 3 (300 ± 30)

- **DIAGNOSTIC CHECK (PRINTOUT ATTACHED)**
- **CHARACTER DISPLAY TEST**
- **PRINT TEST (PRINTOUT ATTACHED)**
- **TIME AND DATE**
- **CALIBRATION CHECK**
  - Run three tests using a standard solution. All three tests must be within ± 5% of the standard value and must have a spread of .005 or less. Check the box corresponding to the standard solution being used. (USE CAL. CHECK MODE) (PRINTOUT ATTACHED)
    - 0.10% STANDARD — MUST READ BETWEEN 0.095% AND 0.105% INCLUSIVE
    - 0.04% STANDARD — MUST READ BETWEEN 0.038% AND 0.042% INCLUSIVE
    - (ONLY ONE STANDARD IS TO BE USED PER MAINTENANCE REPORT)

<table>
<thead>
<tr>
<th>TEST 1</th>
<th>TEST 2</th>
<th>TEST 3</th>
</tr>
</thead>
</table>

- **SIMULATOR TEMPERATURE (34° ± 2°C)**
- **RFI DETECTOR OPERATING (PRINTOUT ATTACHED)**
- **NUMBER OF REFUSALS, SINCE LAST MAINTENANCE REPORT, AND NUMBER OF SUBJECT BREATH TESTS IN EACH RANGE AS FOLLOWS: (DO NOT INCLUDE SIMULATOR TESTS)**

<table>
<thead>
<tr>
<th>REFUSALS</th>
<th>0-04</th>
<th>05-09</th>
<th>10-14</th>
<th>15-19</th>
<th>Over .19</th>
</tr>
</thead>
</table>

List any new parts and describe any alteration or modification that was made to restore the instrument to operate satisfactorily and within established limits (use other side if necessary).

---

**INSPECTING OFFICER**

**SIGNATURE**

**PRINT NAME**

**TYPE II PERMIT NUMBER/EXPIRATION DATE**

**TELEPHONE NUMBER**

---

MO 580-1427 (5-94) AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER services provided on a non-discriminatory basis
MISSOURI DEPARTMENT OF HEALTH
STATE PUBLIC HEALTH LABORATORY
CMI INTOXILYZER 5000 CD MAINTENANCE REPORT

Complete this report in duplicate at the time of the regular monthly preventive maintenance check, and whenever instrument is repaired. Send copy to Department of Health; Retain original in department file.

INTOXILYZER 5000 CD SN

DATE OF INSPECTION

LOCATION OF INSTRUMENT (STREET AND CITY)

TIME OF INSPECTION

CHECKLIST

Place a check (✓) to the left of each item if found to be satisfactory or if operating within established limits. (Write in observed values where determined.) Unchecked items must be corrected before using instrument.

ALL CHANNEL VALUES MUST BE BETWEEN 2800 AND 3600 INCLUSIVE

☐ DVM TEST: ☐ CHANNEL 0 __________________________ LESS THAN 50 NOISE COUNTS
☐ CHANNEL 1 __________________________ LESS THAN 50 NOISE COUNTS
☐ CHANNEL 2 __________________________ LESS THAN 50 NOISE COUNTS

☐ DIAGNOSTIC CHECK (PRINTOUT ATTACHED) __________________________

☐ CHARACTER DISPLAY TEST __________________________

☐ PRINT TEST (PRINTOUT ATTACHED) __________________________

☐ TIME AND DATE __________________________

☐ CALIBRATION CHECK —
Run three tests using a standard solution. All three tests must be within ± 5% of the standard value and must have a spread of .005 or less. Check the box corresponding to the standard solution being used. (USE CAL. CHECK MODE) (PRINTOUT ATTACHED)

☐ 0.100% STANDARD — MUST READ BETWEEN 0.095% AND 0.105% INCLUSIVE
☐ 0.040% STANDARD — MUST READ BETWEEN 0.038% AND 0.042% INCLUSIVE

(ONLY ONE STANDARD IS TO BE USED PER MAINTENANCE REPORT)

TEST 1 ☐ TEST 2 ☐ TEST 3 ☐

☐ SIMULATOR TEMPERATURE (34° ± .2°C) __________________________

☐ PERFORM RFI TEST (PRINTOUT ATTACHED) __________________________

☐ NUMBER OF REFUSALS, SINCE LAST MAINTENANCE REPORT, AND NUMBER OF SUBJECT BREATH TESTS IN EACH RANGE AS FOLLOWS: (DO NOT INCLUDE SIMULATOR TESTS)

REFUSALS

<table>
<thead>
<tr>
<th>Range</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.04</td>
<td>.05-.09</td>
</tr>
<tr>
<td>.10-.14</td>
<td>.15-.19</td>
</tr>
<tr>
<td>Over .19</td>
<td></td>
</tr>
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List any new parts and describe any alteration or modification that was made to restore the instrument to operate satisfactorily and within established limits (use other side if necessary).

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

_________  ______
SIGNATURE  PRINT NAME

_________  ______
TYPE II PERMIT NUMBER/EXPIRATION DATE  TELEPHONE NUMBER

MO 580-1961 (9-94)  AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER  LAB 117 (9R-94)

MATT BLUNT  (9/30/01)
Secretary of State

CODE OF STATE REGULATIONS  15
19 CSR 25-30.041 Type III Permit

PURPOSE: This rule establishes the qualifications, duties and responsibilities of a Type III permittee.

(1) A Type III permit authorizes an individual to operate breath analyzers.

(2) An applicant for a Type III permit shall not be less than twenty-one (21) years of age. The applicant shall have successfully completed a training course approved by the department for operation of breath analyzers or shall offer proof of equivalent qualifications to the satisfaction of the department.

(3) To renew a Type III permit, the applicant shall have performed at least ten (10) tests on drinking subjects in the past year on each instrument for which renewal is requested. If this condition is not met or the permit has expired for more than thirty (30) days, the applicant shall complete a two (2)-hour refresher training course under the supervision of an individual with a valid Type II permit. The refresher training course shall include the performance of the five (5) subject tests for each breath analyzer for which renewal is requested. Copies of the completed operational checklists and printout for the subject tests shall accompany the renewal application.

(4) Type III permits issued before September 29, 1988, shall be considered valid under the conditions of this rule.


Stuart v. Director of Revenue, 761 SW2d 234 (Mo. App. 1988). A Type II permittee is qualified to testify as an expert on technical matters and permissible temperature tolerances.

Miller v. Director of Revenue, 719 SW2d 787 (Mo. banc 1986); Elkins v. Director of Revenue, 728 SW2d 567 (Mo. App. 1987). Possession of a permit is a matter within the personal knowledge of the permittee. Testimony by a permittee is sufficient to prove the permittee’s qualifications to administer the tests.
State of Missouri
DEPARTMENT OF HEALTH

PERMIT
TYPE III

is hereby authorized to operate the following breath analyzer(s):

for the determination of the alcoholic content of blood from a sample of expired (alveolar) air. Issued under the provisions of sections 577.020 through 577.041, RSMo 1986.

Date __________________________
Number _________________________
Expires _________________________

Director of State Public Health Laboratory

Director, Department of Health

MO 580-0772 (5-88)
Lab. 6 (RS-88)
# MISSOURI DEPARTMENT OF HEALTH
## STATE PUBLIC HEALTH LABORATORY
### BREATH ALCOHOL PROGRAM

**APPLICATION FOR TYPE III PERMIT FOR OPERATION OF BREATH ALCOHOL ANALYZERS**

<table>
<thead>
<tr>
<th>THIS APPLICATION IS FOR</th>
<th>PERMIT NUMBER</th>
<th>EXP. DATE</th>
<th>DPS CERT. NUMBER AND DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ NEW PERMIT</td>
<td>☐ RENEWAL</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>TELEPHONE</th>
<th>AGE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>DEPARTMENT OR TROOP</th>
<th>PLACE AND VILLAGE FOR WHICH YOU REQUEST A PERMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUSINESS ADDRESS (STREET, TOWN, ZIP)</td>
<td></td>
</tr>
</tbody>
</table>

**LIST ALL ORIGINAL TRAINING COURSES FOR OPERATION OF BREATH ANALYZERS.**

(Also, please be sure an X is placed beside ALL breath analyzer(s) for which you are requesting a permit.)

<table>
<thead>
<tr>
<th>DATES OF COURSE</th>
<th>LOCATION OF COURSE</th>
<th>COURSE LENGTH (CLOCK HRS.)</th>
<th>NAME &amp; MODEL OF BREATH ANALYZER</th>
<th>PLACE AND VILLAGE FOR WHICH YOU REQUEST A PERMIT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**IF THIS IS AN APPLICATION FOR A NEW PERMIT, INCLUDE A COPY OF APPLICANT’S EXAM**

**IF THIS IS A RENEWAL APPLICATION, AND/OR YOU ARE ADDING A NEW INSTRUMENT TO YOUR CURRENT PERMIT, READ THE FOLLOWING INSTRUCTIONS AND PROVIDE THE FOLLOWING ADDITIONAL INFORMATION:**

When adding a new instrument, you receive a new two (2) year permit. Therefore, normal renewal procedures apply for the instruments on your current permit that you wish to transfer to the new permit. Disregarding those renewal procedures will result in a new permit for the new instrument only.

To renew a Type III permit, the applicant shall have performed at least ten (10) tests on drinking subjects in the past year on each instrument for which renewal is requested. If this condition is not met or the permit has expired for more than thirty (30) days, the applicant shall complete a two (2) hour refresher training course under the supervision of an individual with a valid Type II permit. The refresher training course shall include the performance of five (5) subject tests for each breath analyzer for which renewal is requested. Copies of the completed operational checklists and printouts for the subject tests shall accompany the renewal application.

**NUMBER OF DWI SUBJECT TESTS PERFORMED DURING THE PAST YEAR:** (Indicate instrument name and number)

<table>
<thead>
<tr>
<th>1) INSTRUMENT NAME</th>
<th>SUBJECTS</th>
<th>2) INSTRUMENT NAME</th>
<th>SUBJECTS</th>
<th>3) INSTRUMENT NAME</th>
<th>SUBJECTS</th>
</tr>
</thead>
</table>

**SIGNATURE OF APPLICANT**

**DATE OF APPLICATION**

**TO BE COMPLETED BY TYPE II**

Recommendation of Supervisor Type II:

Name of Type II (Please Print)

I certify that [Name of Applicant] is qualified to operate the breath analyzer devices as requested in this application.

**SIGNATURE OF TYPE II PERMITTEE**

**PERMIT NUMBER**

**BUSINESS PHONE**

**COMPLETE APPLICATION AND RETURN TO:**

DIRECTOR OF LABORATORIES
MISSOURI DEPARTMENT OF HEALTH
307 W. McCARTY
JEFFERSON CITY, MO 65101

MO 800-0009 (10–94)

CODE OF STATE REGULATIONS

(9/30/01) MATT BLUNT
Secretary of State
19 CSR 25-30.050 Approved Breath Analyzers

PURPOSE: This rule enumerates those breath analyzers, chemical reagents which are approved by the Department of Health for the determination of the alcoholic content of blood from a sample of expired (alveolar) air. The chemical composition and tolerances for the test ampoules are also defined.

(1) Approved breath analyzers are—

<table>
<thead>
<tr>
<th>NAME OR ITEM</th>
<th>MANUFACTURER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alco-Sensor IV with printer*</td>
<td>Intoximeters, Inc., St. Louis, MO</td>
</tr>
</tbody>
</table>

*The Alco-Sensor IV with printer is approved for use as a bench-top instrument to be located within buildings or specially equipped trucks or vans specifically used for driving-while-intoxicated enforcement. This instrument is not approved for mobile use in cars, boats, or outside areas.

(2) Subject tests and maintenance reports performed on the Breathalyzer 900 and 900A, the Alco-Analyzer 2000, and the Intoximeter 3000 prior to the effective date of this rule shall be considered valid. Chemical test ampoules, used in the Breathalyzer 900 and 900A, prior to the effective date of this rule shall be considered valid.

(3) Breath tests performed on the Alco-Sensor IV/RBT IV prior to the effective date of this rule shall be considered valid under this rule if such tests were completed in compliance with the rules in effect at the time the test was conducted.


Eckhoff v. Director of Revenue, 745 SW2d 815 (Mo. App. 1988); Director of Revenue v. Martin, 752 SW2d 453 (Mo. App. 1988). For purpose of breath analysis tests, the procedural components of these tests include the testing techniques and methods, the qualifications of the person administering the tests and the nature and description of the equipment and devices to be used. The designation of approved suppliers of test ampoules for breathalyzer test was procedural only and would be applied retrospectively.

19 CSR 25-30.051 Standard Simulator Solutions

PURPOSE: This rule defines the standard simulator solutions to be used in verifying and calibrating breath analyzers.

(1) Standard simulator solutions, used to verify and calibrate evidential breath analyzers at the 0.10% or 0.100% level, shall be solutions from approved suppliers.

(2) Standard simulator solutions, used to verify and calibrate evidential breath analyzers at the 0.04% or 0.040% level, shall be solutions from approved suppliers.

(3) Approved suppliers of standard simulator solutions are:

(A) Alcohol Countermeasure Systems, Inc. Aurora, CO 80010
(B) Guth Laboratories, Inc. Harrisburg, PA 17111-4511
(C) RepCo Marketing, Inc. Raleigh, NC 27604
(D) Draeger Safety, Inc. Durango, CO 81303-7911

(4) Maintenance reports using Intoximeter standard simulator solution completed prior to the effective date of this rule shall be considered valid under this rule if the maintenance report was completed in compliance with the rules in effect at the time the maintenance was conducted.

19 CSR 25-30.060 Operating Procedures for Breath Analyzers

PURPOSE: This rule establishes an operational checklist (including certification by the operator) for each of the approved breath analyzers in 19 CSR 25-30.080. Prosecuting attorneys have requested that these procedures be included as a rule so they can be introduced in court to show that operators of breath analyzers have adhered strictly to the operating procedures set forth and approved by the Department of Health.

(1) When using Intoxilyzer, Model 5000, the procedures on the following form shall be performed and the form shall be completed (see form #5).

(2) When using BAC Verifier, the procedures on the following form shall be performed and the form shall be completed (see form #6).

(3) When using Data Master, the procedures on the following form shall be performed and the form shall be completed (see form #7).

(4) When using Alco-Sensor IV/RBT IV, the procedures on the following form shall be performed and the form shall be completed (see form #8).

(5) When using Intoxilyzer 1400, the procedures on the following form shall be performed and the form shall be completed (see form #9).

(6) When using Intoxilyzer, Model 5000 CD, the procedures on the following form shall be performed and the form shall be completed (see form #10).

(7) The fifteen (15)-minute observation of the subject, which is the first procedure on the forms in sections (1)–(6) of this rule, may be done by the operator of the breath analyzer, the arresting officer or by any other competent individual.

(8) Results of subject tests shall be recorded on the operational checklist in a manner consistent with the breath analyzer’s digital display and/or printout. For example, if the display and/or the printout reads one hundred forty-nine thousandths percent (0.149%), the result shall be recorded as one hundred forty-nine thousandths percent (0.149%).

(9) Operational Checklists completed prior to the effective date of this rule shall be considered valid.


Eckhoff v. Director of Revenue, 745 SW2d 453 (Mo. App. 1988). For purposes of breath analysis tests, the procedural components of these tests include the testing techniques and methods, the qualifications of the person administering the tests and the nature and description of the equipment and devices to be used. The designation of approved suppliers of test ampoules for breathalyzer test was procedural only and would be applied retrospectively.

Stuhr v. Director of Revenue, 760 SW2d 127 (Mo. App. 1988). Though the operational checklist which was used differed from the rule, the checklist exceeded the minimum established requirements and provided a proper foundation for admitting the results of the breath test.

Stuhr v. Director of Revenue, 760 SW2d 127 (Mo. App. 1988); Bradford v. Director of Revenue, 735 SW2d 208 (Mo. App. 1987). The time and date component of the BAC Verifier is a separate component from that of the sample collection portion of the unit. The wrong date or time on the printout is not evidence of a malfunction.
MISSOURI DEPARTMENT OF HEALTH

BLOOD ALCOHOL TEST REPORT - INTOXILYZER 5000

<table>
<thead>
<tr>
<th>SUBJECT'S NAME</th>
<th>DATE OF TEST</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OPERATIONAL CHECKLIST: INTOXILYZER 5000

<table>
<thead>
<tr>
<th>SERIAL NUMBER</th>
<th>LOCATION OF INSTRUMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Subject observed for at least 15 minutes by ______________.
   No smoking or oral intake of any material during this time; if vomiting occurs, start over with the 15 minute observation period.

2. Assure that the power switch is ON and then press the START TEST button.

3. Enter test record card.

4. Enter subject and officer information.

5. When display reads PLEASE BLOW, insert mouthpiece and take the subject's breath sample.

6. When test record is printed, remove test record and attach printout to this report.

CERTIFICATION BY OPERATOR

As set forth in the rules promulgated by the Department of Health related to the determination of blood alcohol by breath analysis, I certify that:

1. There was no deviation from the procedure approved by the department.

2. To the best of my knowledge the instrument was functioning properly.

3. I am authorized to operate the instrument.

4. No radio transmission occurred inside the room where and when this test was being conducted.

<table>
<thead>
<tr>
<th>NAME OF OPERATOR</th>
<th>PERMIT NO.</th>
<th>EXPIRATION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

WITNESS (IF ANY)

<table>
<thead>
<tr>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>
MISSOURI DEPARTMENT OF HEALTH
BLOOD ALCOHOL TEST REPORT - BAC VERIFIER

SUBJECT'S NAME

DATE OF TEST

OPERATIONAL CHECKLIST: BAC VERIFIER

<table>
<thead>
<tr>
<th>SERIAL NO.</th>
<th>LOCATION OF INSTRUMENT</th>
</tr>
</thead>
</table>

☐ 1. Subject observed for at least 15 minutes by ________________ . No smoking or oral intake of any material during this time; if vomiting occurs, start over with the 15 minute observation period.

☐ 2. Assure that the power switch is ON.

☐ 3. If traveling dots are present on display board, press RUN button and wait for green status light to appear, or if green status light is already on, proceed with step 4.

☐ 4. Press RUN button.

☐ 5. When display board reads “BLO” and gives audible beep, take subject’s breath sample.

☐ 6. When printer has completed printing result, tear off tape, fill in subject’s name, officer’s name and badge number on printout tape. Attach printout to this report.

CERTIFICATION BY OPERATOR

BAC

As set forth in the rules promulgated by the Department of Health related to the determination of blood alcohol by breath analysis, I certify that:

☐ 1. There was no deviation from the procedure approved by the department.

☐ 2. To the best of my knowledge the instrument was functioning properly.

☐ 3. I am authorized to operate the instrument.

☐ 4. No radio transmission occurred inside the room where and when this test was being conducted.

NAME OF OPERATOR

PERMIT NO.

EXPIRATION DATE

WITNESS (IF ANY)

DATE

MO 580-1208 (3-83) AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER services provided on a nondiscriminatory basis LAB 111A (R3-93)
MISSOURI DEPARTMENT OF HEALTH

BLOOD ALCOHOL TEST REPORT - DATAMASTER

SUBJECT'S NAME

DATE OF TEST

OPERATIONAL CHECKLIST: DATAMASTER

SERIAL NO. LOCATION OF INSTRUMENT

☐ 1. Subject observed for at least 15 minutes by ____________________________________.
   No smoking or oral intake of any material during this time; if vomiting occurs, start over with the 15 minute observation period.

☐ 2. Assure that the power switch is ON.

☐ 3. Press RUN button.

☐ 4. When display requests INSERT TICKET, insert evidence ticket.

☐ 5. Enter subject and officer information.

☐ 6. When display reads PLEASE BLOW and gives audible beep, take subject's breath sample.

☐ 7. When printer has completed printing out test result, remove ticket from printer. Attach printout to this report.

CERTIFICATION BY OPERATOR

BAC

As set forth in the rules promulgated by the Department of Health related to the determination of blood alcohol by breath analysis, I certify that:

☐ 1. There was no deviation from the procedure approved by the department.

☐ 2. To the best of my knowledge the instrument was functioning properly.

☐ 3. I am authorized to operate the instrument.

☐ 4. No radio transmission occurred inside the room where and when this was being conducted.

NAME OF OPERATOR

PERMIT NO.

EXPIRATION DATE

WITNESS (IF ANY)

DATE

LAB 100 (R12-92)
MISSOURI DEPARTMENT OF HEALTH
BLOOD ALCOHOL TEST REPORT - ALCO-SENSOR IV/RBT IV

<table>
<thead>
<tr>
<th>SUBJECT'S NAME</th>
<th>DATE OF TEST</th>
</tr>
</thead>
</table>

**OPERATIONAL CHECKLIST: ALCO-SENSOR IV/RBT IV**

- **ALCO-SENSOR SERIAL NO.**
- **RBT SERIAL NO.**
- **LOCATION OF INSTRUMENT**

1. Subject observed for at least 15 minutes by _________________________.
   No smoking or oral intake of any material during this time; if vomiting occurs, start over with the 15 minute observation period.

2. Press the ON button to turn on RBT IV. If display shows LO.BAT., unit needs charging - otherwise, proceed.

3. Press start button.

4. Insert mouthpiece into Alco Sensor IV.

5. Observe temperature display, make sure temperature reading is between 10°C and 40°C.

6. When "BLNK" is displayed on Alco-Sensor IV, air blank is taken.

7. When "SET" is displayed on Alco-Sensor IV, press SET button.

8. When "RBT" is displayed on Alco-Sensor IV, take subject breath sample.

9. When "SET" is displayed on Alco-Sensor IV, press SET button.

10. Press red button to eject mouthpiece.

11. When printer has completed printing test result, tear off tape and fill in subject and officer information.

12. Turn power off on RBT.

13. Attach printout to this report.

**CERTIFICATION BY OPERATOR**

BAC: __________

As set forth in the rules promulgated by the Department of Health related to the determination of blood alcohol by breath analysis, I certify that:

1. There was no deviation from the procedure approved by the department.

2. To the best of my knowledge the instrument was functioning properly.

3. I am authorized to operate the instrument.

4. No radio transmission occurred inside the room where and when this was being conducted.

<table>
<thead>
<tr>
<th>NAME OF OPERATOR</th>
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<th>EXPIRATION DATE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>WITNESS (IF ANY)</th>
<th>DATE</th>
</tr>
</thead>
</table>

MO 580-1213 (4-93) AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER services provided on a nondiscriminatory basis LAB 108 (R4-93)
MISSOURI DEPARTMENT OF HEALTH

BLOOD ALCOHOL TEST REPORT - INTOXILYZER 1400

<table>
<thead>
<tr>
<th>SUBJECT'S NAME</th>
<th>DATE OF TEST</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>OPERATIONAL CHECKLIST: INTOXILYZER 1400</th>
</tr>
</thead>
<tbody>
<tr>
<td>SERIAL NUMBER</td>
</tr>
</tbody>
</table>

- 1. Subject observed for at least 15 minutes by ___________________.
  No smoking or oral intake of any material during this time; if vomiting occurs, start over with the 15 minute observation period.

- 2. Assure that the power switch is ON and then press the START TEST button.

- 3. Enter subject and officer information.

- 4. When display shows PLEASE BLOW, insert mouthpiece and take the subject's breath sample.

- 5. When test record is printed, remove test record and attach printout to this report.

<table>
<thead>
<tr>
<th>CERTIFICATION BY OPERATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAC</td>
</tr>
</tbody>
</table>

As set forth in the rules promulgated by the Department of Health related to the determination of blood alcohol by breath analysis, I certify that:

- 1. There was no deviation from the procedure approved by the department.

- 2. To the best of my knowledge the instrument was functioning properly.

- 3. I am authorized to operate the instrument.

- 4. No radio transmission occurred inside the room where and when this was being conducted.

<table>
<thead>
<tr>
<th>NAME OF OPERATOR</th>
<th>PERMIT NO.</th>
<th>EXPIRATION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>WITNESS (IF ANY)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

MO 580-1428 (12-92) AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER
services provided on a nondiscriminatory basis

LAB 108A (R12-92)
MISSOURI DEPARTMENT OF HEALTH
BLOOD ALCOHOL TEST REPORT - INTOXILYZER 5000 CD

<table>
<thead>
<tr>
<th>SUBJECT'S NAME</th>
<th>DATE OF TEST</th>
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</thead>
</table>

**OPERATIONAL CHECKLIST: INTOXILYZER 5000 CD**

<table>
<thead>
<tr>
<th>SERIAL NUMBER</th>
<th>LOCATION OF INSTRUMENT</th>
</tr>
</thead>
</table>

- □ 1. Subject observed for at least 15 minutes by _________________.
  No smoking or oral intake of any material during this time; if vomiting occurs, start over with the 15 minute observation period.

- □ 2. Assure that the power switch is ON and then press the START TEST button.

- □ 3. Insert test record card.

- □ 4. Enter subject and officer information.

- □ 5. When display reads PLEASE BLOW, insert mouthpiece and take the subject's breath sample.

- □ 6. When test record is printed, remove test record and attach printout to this report.

**CERTIFICATION BY OPERATOR**

As set forth in the rules promulgated by the Department of Health related to the determination of blood alcohol by breath analysis, I certify that:

- □ 1. There was no deviation from the procedure approved by the department.

- □ 2. To the best of my knowledge the instrument was functioning properly.

- □ 3. I am authorized to operate the instrument.

- □ 4. No radio transmission occurred inside the room where and when this test was being conducted.

<table>
<thead>
<tr>
<th>NAME OF OPERATOR</th>
<th>PERMIT NO.</th>
<th>EXPIRATION DATE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>WITNESS (IF ANY)</th>
<th>AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER</th>
</tr>
</thead>
</table>

LAB 105

MO 580-1991 (12-94)

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

services provided on a nondiscriminatory basis

MATT BLUNT
Secretary of State
Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva and Urine Analysis; and Determination for the Presence of Drugs in Blood and Urine

19 CSR 25-30.070 Approval of Methods for the Determination of Blood Alcohol Content From Samples of Blood, Urine or Saliva

PURPOSE: This rule establishes the methods and analytical principles by which determination of blood alcohol content from samples of blood, urine or saliva are approved.

(1) Blood samples shall be taken in accordance with the provisions of sections 577.029, and 306.113–306.119, RSMo.

(2) A sample of blood, urine or saliva shall be collected in a clean, dry container that has an air-tight, inert stopper—
   - For blood samples, if whole blood or plasma is required, an anticoagulant may be used that is appropriate for the test method being employed; and
   - Urine specimens shall be refrigerated immediately after collection or a preservative may be used that is appropriate for the test method being employed.

(3) A sufficient volume of blood, urine or saliva shall be collected to provide for duplicate testing.

(4) Methods based on the following analytical principles are approved for the determination of blood alcohol content from a sample of blood, urine or saliva:
   - Chromatographic identification and quantitation of alcohols, in liquid or vapor phase;
   - Spectrophotometric or colorimetric measurement of the conversion of alcohol to acetaldehyde by alcohol-dehydrogenase; or
   - The quantitative determination of the reduction of dichromate in acid solution by ethanol.


19 CSR 25-30.080 Approval of Methods for the Analysis of Blood and Urine for the Presence of Drugs

PURPOSE: This rule establishes the approved methods for the analysis of blood and urine for the presence of drugs.

(1) Samples of blood or urine shall be collected in accordance with the provisions of sections 577.029, and 306.113–306.119, RSMo and a sufficient volume of sample collected to provide for duplicate testing.

(2) Blood samples shall be collected in a clean, dry container that has an air-tight, inert stopper. If whole blood or plasma is required, an anticoagulant may be used that is appropriate for the test method.

(3) Urine specimens shall be collected in clean, dry containers. Preservatives may be used that are appropriate for the test method. Specimens shall be refrigerated if not tested within one (1) day of collection.

(4) An individual shall have a valid Type I permit in order to perform analyses of blood and urine for the presence of drugs.

(5) The laboratory in which these analyses are performed shall have a director who shall assume full responsibility for the accuracy of tests and reports.

(6) The laboratory in which these analyses are performed shall participate in a proficiency testing program that provides at least three (3) sets of samples per calendar year and covers the screening and confirmatory methods that are used.

(7) The following methodologies are approved for the analysis of blood and urine for the presence of drugs:
   - Enzyme immunoassay (EIA);
   - Fluorescence immunoassay (FIA);
   - Radioimmunoassay (RIA);
   - Gas-liquid chromatography (GLC);
   - Thin layer chromatography (TLC);
   - High-pressure liquid chromatography (HPLC);
   - Ultra-violet spectrophotometry (UV);
   - Gas chromatography/mass spectrometry (GC/MS).
