BUREAU OF ALCOHOL
AND DRUG TESTING

Renewal

BAC DataMaster

Revised 1-2009
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HEALTH DIRECTOR’S ROLE IN CHEMICAL TESTING
SECTION 3701.143
Effective Date: 08/17/2006

For purposes of sections 1547.11, 4511.19, and 4511.194 of the Revised Code, the director of health shall determine, or cause to be determined, techniques or methods for chemically analyzing a person’s whole blood, blood serum or plasma, urine, breath, or other bodily substance in order to ascertain the amount of alcohol, a drug of abuse, controlled substance, metabolite of a controlled substance, or combination of them in the person’s whole blood, blood serum or plasma, urine, breath, or other bodily substance. The director shall approve satisfactory techniques or methods, ascertain the qualifications of individuals to conduct such analyses, and issue permits to qualified persons authorizing them to perform such analyses. Such permits shall be subject to termination or revocation at the discretion of the director.

OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS (OVI)
SECTION 4511.19
Effective Date: 09/30/2008

(A)(1) No person shall operate any vehicle, streetcar, or trackless trolley within this state, if, at the time of the operation, any of the following apply:

(a) The person is under the influence of alcohol, a drug of abuse, or a combination of them.

(b) The person has a concentration of eight-hundredths of one per cent or more but less than seventeen-hundredths of one per cent by weight per unit volume of alcohol in the person’s whole blood.

(c) The person has a concentration of ninety-six-thousandths of one per cent or more but less than two hundred four-thousandths of one per cent by weight per unit volume of alcohol in the person’s blood serum or plasma.

(d) The person has a concentration of eight-hundredths of one gram or more but less than seventeen-hundredths of one gram by weight of alcohol per two hundred ten liters of the person’s breath.

(e) The person has a concentration of eleven-hundredths of one gram or more but less than two hundred thirty-eight-thousandths of one gram by weight of alcohol per one hundred milliliters of the person’s urine.

(f) The person has a concentration of seventeen-hundredths of one per cent or more by weight per unit volume of alcohol in the person’s whole blood.

(g) The person has a concentration of two hundred four-thousandths of one per cent or more by weight per unit volume of alcohol in the person’s blood serum or plasma.

(h) The person has a concentration of seventeen-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person’s breath.
(i) The person has a concentration of two hundred thirty-eight-thousandths of one gram or more by weight of alcohol per one hundred milliliters of the person’s urine.

(j) Except as provided in division (K) of this section, the person has a concentration of any of the following controlled substances or metabolites of a controlled substance in the person’s whole blood, blood serum or plasma, or urine that equals or exceeds any of the following:

(i) The person has a concentration of amphetamine in the person’s urine of at least five hundred nanograms of amphetamine per milliliter of the person’s urine or has a concentration of amphetamine in the person’s whole blood or blood serum or plasma of at least one hundred nanograms of amphetamine per milliliter of the person’s whole blood or blood serum or plasma.

(ii) The person has a concentration of cocaine in the person’s urine of at least one hundred fifty nanograms of cocaine per milliliter of the person’s urine or has a concentration of cocaine in the person’s whole blood or blood serum or plasma of at least fifty nanograms of cocaine per milliliter of the person’s whole blood or blood serum or plasma.

(iii) The person has a concentration of cocaine metabolite in the person’s urine of at least one hundred fifty nanograms of cocaine metabolite per milliliter of the person’s urine or has a concentration of cocaine metabolite in the person’s whole blood or blood serum or plasma of at least fifty nanograms of cocaine metabolite per milliliter of the person’s whole blood or blood serum or plasma.

(iv) The person has a concentration of heroin in the person’s urine of at least two thousand nanograms of heroin per milliliter of the person’s urine or has a concentration of heroin in the person’s whole blood or blood serum or plasma of at least fifty nanograms of heroin per milliliter of the person’s whole blood or blood serum or plasma.

(v) The person has a concentration of heroin metabolite (6-monoacetyl morphine) in the person’s urine of at least ten nanograms of heroin metabolite (6-monoacetyl morphine) per milliliter of the person’s urine or has a concentration of heroin metabolite (6-monoacetyl morphine) in the person’s whole blood or blood serum or plasma of at least ten nanograms of heroin metabolite (6-monoacetyl morphine) per milliliter of the person’s whole blood or blood serum or plasma.

(vi) The person has a concentration of L.S.D. in the person’s urine of at least twenty-five nanograms of L.S.D. per milliliter of the person’s urine or a concentration of L.S.D. in the person’s whole blood or blood serum or plasma of at least ten nanograms of L.S.D. per milliliter of the person’s whole blood or blood serum or plasma.

(vii) The person has a concentration of marihuana in the person’s urine of at least ten nanograms of marihuana per milliliter of the person’s urine or has a concentration of marihuana in the person’s whole blood or blood serum or plasma of at least two nanograms of marihuana per milliliter of the person’s whole blood or blood serum or plasma.

(viii) Either of the following applies:

(I) The person is under the influence of alcohol, a drug of abuse, or a combination of them, and, as measured by gas chromatography mass spectrometry, the person has a concentration of marihuana metabolite in the person’s urine of at least fifteen nanograms of marihuana metabolite per milliliter of the person’s urine or has a concentration of marihuana metabolite in the person’s whole blood or blood serum or plasma of at least five nanograms of marihuana metabolite per milliliter of the person’s whole blood or blood serum or plasma.
person’s whole blood or blood serum or plasma.

(II) As measured by gas chromatography mass spectrometry, the person has a concentration of marihuana metabolite in the person’s urine of at least thirty-five nanograms of marihuana metabolite per milliliter of the person’s urine or has a concentration of marihuana metabolite in the person’s whole blood or blood serum or plasma of at least fifty nanograms of marihuana metabolite per milliliter of the person’s whole blood or blood serum or plasma.

(ix) The person has a concentration of methamphetamine in the person’s urine of at least five hundred nanograms of methamphetamine per milliliter of the person’s urine or has a concentration of methamphetamine in the person’s whole blood or blood serum or plasma of at least one hundred nanograms of methamphetamine per milliliter of the person’s whole blood or blood serum or plasma.

(x) The person has a concentration of phencyclidine in the person’s urine of at least twenty-five nanograms of phencyclidine per milliliter of the person’s urine or has a concentration of phencyclidine in the person’s whole blood or blood serum or plasma of at least ten nanograms of phencyclidine per milliliter of the person’s whole blood or blood serum or plasma.

(2) No person who, within twenty years of the conduct described in division (A)(2)(a) of this section, previously has been convicted of or pleaded guilty to a violation of this division, a violation of division (A)(1) or (B) of this section, or any other equivalent offense shall do both of the following:

(a) Operate any vehicle, streetcar, or trackless trolley within this state while under the influence of alcohol, a drug of abuse, or a combination of them;

(b) Subsequent to being arrested for operating the vehicle, streetcar, or trackless trolley as described in division (A)(2)(a) of this section, being asked by a law enforcement officer to submit to a chemical test or tests under section 4511.191 of the Revised Code, and being advised by the officer in accordance with section 4511.192 of the Revised Code of the consequences of the person’s refusal or submission to the test or tests, refuse to submit to the test or tests.

(B) No person under twenty-one years of age shall operate any vehicle, streetcar, or trackless trolley within this state, if, at the time of the operation, any of the following apply:

(1) The person has a concentration of at least two-hundredths of one per cent but less than eight-hundredths of one per cent by weight per unit volume of alcohol in the person’s whole blood.

(2) The person has a concentration of at least three-hundredths of one per cent but less than ninety-six-thousandths of one per cent by weight per unit volume of alcohol in the person’s blood serum or plasma.

(3) The person has a concentration of at least two-hundredths of one gram but less than eight-hundredths of one gram by weight of alcohol per two hundred ten liters of the person’s breath.

(4) The person has a concentration of at least twenty-eight one-thousandths of one gram but less than eleven-hundredths of one gram by weight of alcohol per one hundred milliliters of the person’s urine.

(C) In any proceeding arising out of one incident, a person may be charged with a violation of
division (A)(1)(a) or (A)(2) and a violation of division (B)(1), (2), or (3) of this section, but the person may not be convicted of more than one violation of these divisions.
(D)(1)(a) In any criminal prosecution or juvenile court proceeding for a violation of division (A)(1)(a) of this section or for an equivalent offense that is vehicle-related, the result of any test of any blood or urine withdrawn and analyzed at any health care provider, as defined in section 2317.02 of the Revised Code, may be admitted with expert testimony to be considered with any other relevant and competent evidence in determining the guilt or innocence of the defendant.

(b) In any criminal prosecution or juvenile court proceeding for a violation of division (A) or (B) of this section or for an equivalent offense that is vehicle-related, the court may admit evidence on the concentration of alcohol, drugs of abuse, controlled substances, metabolites of a controlled substance, or a combination of them in the defendant’s whole blood, blood serum or plasma, breath, urine, or other bodily substance at the time of the alleged violation as shown by chemical analysis of the substance withdrawn within three hours of the time of the alleged violation. The three-hour time limit specified in this division regarding the admission of evidence does not extend or affect the two-hour time limit specified in division (A) of section 4511.192 of the Revised Code as the maximum period of time during which a person may consent to a chemical test or tests as described in that section. The court may admit evidence on the concentration of alcohol, drugs of abuse, or a combination of them as described in this division when a person submits to a blood, breath, urine, or other bodily substance test at the request of a law enforcement officer under section 4511.191 of the Revised Code or a blood or urine sample is obtained pursuant to a search warrant. Only a physician, a registered nurse, or a qualified technician, chemist, or phlebotomist shall withdraw a blood sample for the purpose of determining the alcohol, drug, controlled substance, metabolite of a controlled substance, or combination content of the whole blood, blood serum, or blood plasma. This limitation does not apply to the taking of breath or urine specimens. A person authorized to withdraw blood under this division may refuse to withdraw blood under this division, if in that person’s opinion, the physical welfare of the person would be endangered by the withdrawing of blood.

The bodily substance withdrawn under division (D)(1)(b) of this section shall be analyzed in accordance with methods approved by the director of health by an individual possessing a valid permit issued by the director pursuant to section 3701.143 of the Revised Code.

(2) In a criminal prosecution or juvenile court proceeding for a violation of division (A) of this section or for an equivalent offense that is vehicle-related, if there was at the time the bodily substance was withdrawn a concentration of less than the applicable concentration of alcohol specified in divisions (A)(1)(b), (c), (d), and (e) of this section or less than the applicable concentration of a listed controlled substance or a listed metabolite of a controlled substance specified for a violation of division (A)(1)(j) of this section, that fact may be considered with other competent evidence in determining the guilt or innocence of the defendant. This division does not limit or affect a criminal prosecution or juvenile court proceeding for a violation of division (B) of this section or for an equivalent offense that is substantially equivalent to that division.

(3) Upon the request of the person who was tested, the results of the chemical test shall be made available to the person or the person’s attorney, immediately upon the completion of the chemical test analysis.

If the chemical test was obtained pursuant to division (D)(1)(b) of this section, the person tested may have a physician, a registered nurse, or a qualified technician, chemist, or phlebotomist of the person’s own choosing administer a chemical test or tests, at the person’s expense, in addition to any administered at the request of a law enforcement officer. The form to be read to the person to be tested, as required under section 4511.192 of the Revised Code, shall state that the person may have
an independent test performed at the person’s expense. The failure or inability to obtain an additional chemical test by a person shall not preclude the admission of evidence relating to the chemical test or tests taken at the request of a law enforcement officer.

(4)(a) As used in divisions (D)(4)(b) and (c) of this section, “national highway traffic safety administration” means the national highway traffic safety administration established as an administration of the United States department of transportation under 96 Stat. 2415 (1983), 49 U.S.C.A. 105.

(b) In any criminal prosecution or juvenile court proceeding for a violation of division (A) or (B) of this section, of a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or of a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine, if a law enforcement officer has administered a field sobriety test to the operator of the vehicle involved in the violation and if it is shown by clear and convincing evidence that the officer administered the test in substantial compliance with the testing standards for any reliable, credible, and generally accepted field sobriety tests that were in effect at the time the tests were administered, including, but not limited to, any testing standards then in effect that were set by the national highway traffic safety administration, all of the following apply:

(i) The officer may testify concerning the results of the field sobriety test so administered.

(ii) The prosecution may introduce the results of the field sobriety test so administered as evidence in any proceedings in the criminal prosecution or juvenile court proceeding.

(iii) If testimony is presented or evidence is introduced under division (D)(4)(b)(i) or (ii) of this section and if the testimony or evidence is admissible under the Rules of Evidence, the court shall admit the testimony or evidence and the trier of fact shall give it whatever weight the trier of fact considers to be appropriate.

(c) Division (D)(4)(b) of this section does not limit or preclude a court, in its determination of whether the arrest of a person was supported by probable cause or its determination of any other matter in a criminal prosecution or juvenile court proceeding of a type described in that division, from considering evidence or testimony that is not otherwise disallowed by division (D)(4)(b) of this section.

(E)(1) Subject to division (E)(3) of this section, in any criminal prosecution or juvenile court proceeding for a violation of division (A)(1)(b), (c), (d), (e), (f), (g), (h), (i), or (j) or (B)(1), (2), (3), or (4) of this section or for an equivalent offense that is substantially equivalent to any of those divisions, a laboratory report from any laboratory personnel issued a permit by the department of health authorizing an analysis as described in this division that contains an analysis of the whole blood, blood serum or plasma, breath, urine, or other bodily substance tested and that contains all of the information specified in this division shall be admitted as prima-facie evidence of the information and statements that the report contains. The laboratory report shall contain all of the following:

(a) The signature, under oath, of any person who performed the analysis;

(b) Any findings as to the identity and quantity of alcohol, a drug of abuse, a controlled substance, a metabolite of a controlled substance, or a combination of them that was found;
(c) A copy of a notarized statement by the laboratory director or a designee of the director that contains the name of each certified analyst or test performer involved with the report, the analyst’s or test performer’s employment relationship with the laboratory that issued the report, and a notation that performing an analysis of the type involved is part of the analyst’s or test performer’s regular duties;

(d) An outline of the analyst’s or test performer’s education, training, and experience in performing the type of analysis involved and a certification that the laboratory satisfies appropriate quality control standards in general and, in this particular analysis, under rules of the department of health.

(2) Notwithstanding any other provision of law regarding the admission of evidence, a report of the type described in division (E)(1) of this section is not admissible against the defendant to whom it pertains in any proceeding, other than a preliminary hearing or a grand jury proceeding, unless the prosecutor has served a copy of the report on the defendant’s attorney or, if the defendant has no attorney, on the defendant.

(3) A report of the type described in division (E)(1) of this section shall not be prima-facie evidence of the contents, identity, or amount of any substance if, within seven days after the defendant to whom the report pertains or the defendant’s attorney receives a copy of the report, the defendant or the defendant’s attorney demands the testimony of the person who signed the report. The judge in the case may extend the seven-day time limit in the interest of justice.

(F) Except as otherwise provided in this division, any physician, registered nurse, or qualified technician, chemist, or phlebotomist who withdraws blood from a person pursuant to this section or section 4511.191 or 4511.192 of the Revised Code, and any hospital, first-aid station, or clinic at which blood is withdrawn from a person pursuant to this section or section 4511.191 or 4511.192 of the Revised Code, is immune from criminal liability and civil liability based upon a claim of assault and battery or any other claim that is not a claim of malpractice, for any act performed in withdrawing blood from the person. The immunity provided in this division is not available to a person who withdraws blood if the person engages in willful or wanton misconduct.

(K) Division (A)(1)(j) of this section does not apply to a person who operates a vehicle, streetcar, or trackless trolley while the person has a concentration of a listed controlled substance or a listed metabolite of a controlled substance in the person’s whole blood, blood serum or plasma, or urine that equals or exceeds the amount specified in that division, if both of the following apply:

(1) The person obtained the controlled substance pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs.

(2) The person injected, ingested, or inhaled the controlled substance in accordance with the health professional’s directions.

(L) The prohibited concentrations of a controlled substance or a metabolite of a controlled substance listed in division (A)(1)(j) of this section also apply in a prosecution of a violation of division (D) of section 2923.16 of the Revised Code in the same manner as if the offender is being prosecuted for a prohibited concentration of alcohol.
IMPLIED CONSENT TO CHEMICAL TEST
SECTION 4511.191
Effective Date: 09/30/2008

(A)(1) As used in this section:

(a) "Physical control" has the same meaning as in section 4511.194 of the Revised Code.

(b) “Alcohol monitoring device” means any device that provides for continuous alcohol monitoring, any ignition interlock device, any immobilizing or disabling device other than an ignition interlock device that is constantly available to monitor the concentration of alcohol in a person’s system, or any other device that provides for the automatic testing and periodic reporting of alcohol consumption by a person and that a court orders a person to use as a sanction imposed as a result of the person’s conviction of or plea of guilty to an offense.

(2) Any person who operates a vehicle, streetcar, or trackless trolley upon a highway or any public or private property used by the public for vehicular travel or parking within this state or who is in physical control of a vehicle, streetcar, or trackless trolley shall be deemed to have given consent to a chemical test or tests of the person’s whole blood, blood serum or plasma, breath, or urine to determine the alcohol, drug of abuse, controlled substance, metabolite of a controlled substance, or combination content of the person’s whole blood, blood serum or plasma, breath, or urine if arrested for a violation of division (A) or (B) of section 4511.19 of the Revised Code, section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, or a municipal OVI ordinance.

(3) The chemical test or tests under division (A)(2) of this section shall be administered at the request of a law enforcement officer having reasonable grounds to believe the person was operating or in physical control of a vehicle, streetcar, or trackless trolley in violation of a division, section, or ordinance identified in division (A)(2) of this section. The law enforcement agency by which the officer is employed shall designate which of the tests shall be administered.

(4) Any person who is dead or unconscious, or who otherwise is in a condition rendering the person incapable of refusal, shall be deemed to have consented as provided in division (A)(2) of this section, and the test or tests may be administered, subject to sections 313.12 to 313.16 of the Revised Code.

(5)(a) If a law enforcement officer arrests a person for a violation of division (A) or (B) of section 4511.19 of the Revised Code, section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, or a municipal OVI ordinance and if the person if convicted would be required to be sentenced under division (G)(1)(c), (d), or (e) of section 4511.19 of the Revised Code, the law enforcement officer shall request the person to submit, and the person shall submit, to a chemical test or tests of the person’s whole blood, blood serum or plasma, breath, or urine for the purpose of determining the alcohol, drug of abuse, controlled substance, metabolite of a controlled substance, or combination content of the person’s whole blood, blood serum or plasma, breath, or urine. A law enforcement officer who makes a request pursuant to this division that a person submit to a chemical test or tests shall advise the person at the time of the arrest that if the person refuses to take a chemical test the officer may employ whatever reasonable means are necessary to ensure that the person submits to a chemical test of the person’s whole blood or blood serum or plasma. The officer shall also advise the person at the time of the arrest that the person may have an independent
chemical test taken at the person’s own expense. Divisions (A)(3) and (4) of this section apply to the administration of a chemical test or tests pursuant to this division.

(b) If a person refuses to submit to a chemical test upon a request made pursuant to division (A)(5)(a) of this section, the law enforcement officer who made the request may employ whatever reasonable means are necessary to ensure that the person submits to a chemical test of the person’s whole blood or blood serum or plasma. A law enforcement officer who acts pursuant to this division to ensure that a person submits to a chemical test of the person’s whole blood or blood serum or plasma is immune from criminal and civil liability based upon a claim for assault and battery or any other claim for the acts, unless the officer so acted with malicious purpose, in bad faith, or in a wanton or reckless manner.

**ADMINISTRATIVE LICENSE SUSPENSION (ALS)**

**SECTION 4511.192**

Effective Date: 09/30/2008

(A) The arresting law enforcement officer shall give advice in accordance with this section to any person under arrest for a violation of division (A) or (B) of section 4511.19 of the Revised Code, section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, or a municipal OVI ordinance. The officer shall give that advice in a written form that contains the information described in division (B) of this section and shall read the advice to the person. The form shall contain a statement that the form was shown to the person under arrest and read to the person by the arresting officer. One or more persons shall witness the arresting officer’s reading of the form, and the witnesses shall certify to this fact by signing the form. The person must submit to the chemical test or tests, subsequent to the request of the arresting officer, within two hours of the time of the alleged violation and, if the person does not submit to the test or tests within that two-hour time limit, the failure to submit automatically constitutes a refusal to submit to the test or tests.

(B) If a person is under arrest as described in division (A) of this section, before the person may be requested to submit to a chemical test or tests to determine the alcohol, drug of abuse, controlled substance, metabolite of a controlled substance, or combination content of the person’s whole blood, blood serum or plasma, breath, or urine, the arresting officer shall read the following form to the person:

“You now are under arrest for (specifically state the offense under state law or a substantially equivalent municipal ordinance for which the person was arrested – operating a vehicle under the influence of alcohol, a drug, or a combination of them; operating a vehicle while under the influence of a listed controlled substance or a listed metabolite of a controlled substance; operating a vehicle after underage alcohol consumption; or having physical control of a vehicle while under the influence).

If you refuse to take any chemical test required by law, your Ohio driving privileges will be suspended immediately, and you will have to pay a fee to have the privileges reinstated. If you have a prior conviction of OVI, OUVAC, or operating a vehicle while under the influence of a listed controlled substance or a listed metabolite of a controlled substance under state or municipal law within the preceding twenty years, you now are under arrest for state OVI, and, if you refuse to take
a chemical test, you will face increased penalties if you subsequently are convicted of the state OVI.

(Read this part unless the person is under arrest for solely having physical control of a vehicle while under the influence.) If you take any chemical test required by law and are found to be at or over the prohibited amount of alcohol, a controlled substance, or a metabolite of a controlled substance in your whole blood, blood serum or plasma, breath, or urine as set by law, your Ohio driving privileges will be suspended immediately, and you will have to pay a fee to have the privileges reinstated.

If you take a chemical test, you may have an independent chemical test taken at your own expense.”

(C) If the arresting law enforcement officer does not ask a person under arrest as described in division (A) of this section or division (A)(5) of section 4511.191 of the Revised Code to submit to a chemical test or tests under section 4511.191 of the Revised Code, the arresting officer shall seize the Ohio or out-of-state driver’s or commercial driver’s license or permit of the person and immediately forward it to the court in which the arrested person is to appear on the charge. If the arrested person is not in possession of the person’s license or permit or it is not in the person’s vehicle, the officer shall order the person to surrender it to the law enforcement agency that employs the officer within twenty-four hours after the arrest, and, upon the surrender, the agency immediately shall forward the license or permit to the court in which the person is to appear on the charge. Upon receipt of the license or permit, the court shall retain it pending the arrested person’s initial appearance and any action taken under section 4511.196 of the Revised Code.

(D)(1) If a law enforcement officer asks a person under arrest as described in division (A)(5) of section 4511.191 of the Revised Code to submit to a chemical test or tests under that section and the test results indicate a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the person’s whole blood, blood serum or plasma, breath, or urine at the time of the alleged offense, or if a law enforcement officer asks a person under arrest as described in division (A) of this section to submit to a chemical test or tests under section 4511.191 of the Revised Code, the officer advises the person in accordance with this section of the consequences of the person’s refusal or submission, and either the person refuses to submit to the test or tests or, unless the arrest was for a violation of section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, the person submits to the test or tests and the test results indicate a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the person’s whole blood, blood serum or plasma, breath, or urine at the time of the alleged offense, the arresting officer shall do all of the following:

(a) On behalf of the registrar of motor vehicles, notify the person that, independent of any penalties or sanctions imposed upon the person, the person’s Ohio driver’s or commercial driver’s license or permit or nonresident operating privilege is suspended immediately, that the suspension will last at least until the person’s initial appearance on the charge, which will be held within five days after the date of the person’s arrest or the issuance of a citation to the person, and that the person may appeal the suspension at the initial appearance or during the period of time ending thirty days after that initial appearance;

(b) Seize the driver’s or commercial driver’s license or permit of the person and immediately forward it to the registrar. If the arrested person is not in possession of the person’s license or permit or it is not in the person’s vehicle, the officer shall order the person to surrender it to the law enforcement agency that employs the officer within twenty-four hours after the person is given notice of the suspension, and, upon the surrender, the officer’s employing agency immediately shall
forward the license or permit to the registrar.

(c) Verify the person’s current residence and, if it differs from that on the person’s driver’s or commercial driver’s license or permit, notify the registrar of the change;

(d) Send to the registrar, within forty-eight hours after the arrest of the person, a sworn report that includes all of the following statements:

(i) That the officer had reasonable grounds to believe that, at the time of the arrest, the arrested person was operating a vehicle, streetcar, or trackless trolley in violation of division (A) or (B) of section 4511.19 of the Revised Code or a municipal OVI ordinance or for being in physical control of a stationary vehicle, streetcar, or trackless trolley in violation of section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance;

(ii) That the person was arrested and charged with a violation of division (A) or (B) of section 4511.19 of the Revised Code, section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, or a municipal OVI ordinance;

(iii) Unless division (D)(1)(d)(v) of this section applies, that the officer asked the person to take the designated chemical test or tests, advised the person in accordance with this section of the consequences of submitting to, or refusing to take, the test or tests, and gave the person the form described in division (B) of this section;

(iv) Unless division (D)(1)(d)(v) of this section applies, that either the person refused to submit to the chemical test or tests or, unless the arrest was for a violation of section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, the person submitted to the chemical test or tests and the test results indicate a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the person’s whole blood, blood serum or plasma, breath, or urine at the time of the alleged offense;

(v) If the person was under arrest as described in division (A)(5) of section 4511.191 of the Revised Code and the chemical test or tests were performed in accordance with that division, that the person was under arrest as described in that division, that the chemical test or tests were performed in accordance with that division, and that test results indicated a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the person’s whole blood, blood serum or plasma, breath, or urine at the time of the alleged offense.

(2) Division (D)(1) of this section does not apply to a person who is arrested for a violation of section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, who is asked by a law enforcement officer to submit to a chemical test or tests under section 4511.191 of the Revised Code, and who submits to the test or tests, regardless of the amount of alcohol, a controlled substance, or a metabolite of a controlled substance that the test results indicate is present in the person’s whole blood, blood serum or plasma, breath, or urine.

(E) The arresting officer shall give the officer’s sworn report that is completed under this section to the arrested person at the time of the arrest, or the registrar of motor vehicles shall send the report to the person by regular first class mail as soon as possible after receipt of the report, but not later than fourteen days after receipt of it. An arresting officer may give an unsworn report to the arrested person at the time of the arrest provided the report is complete when given to the arrested person and subsequently is sworn to by the arresting officer. As soon as possible, but not later than forty-eight hours after the arrest of the person, the arresting officer shall send a copy of the sworn report to the
court in which the arrested person is to appear on the charge for which the person was arrested.

(F) The sworn report of an arresting officer completed under this section is prima-facie proof of the information and statements that it contains. It shall be admitted and considered as prima-facie proof of the information and statements that it contains in any appeal under section 4511.197 of the Revised Code relative to any suspension of a person’s driver’s or commercial driver’s license or permit or nonresident operating privilege that results from the arrest covered by the report.
OHIO DEPARTMENT OF PUBLIC SAFETY
BUREAU OF MOTOR VEHICLES

REPORT OF LAW ENFORCEMENT OFFICER ADMINISTRATIVE LICENSE SUSPENSION/NOTICE OF POSSIBLE CDL DISQUALIFICATION/IMMOBILIZATION/FORFEITURE

A. NAME

BUREAU OF ALCOHOL AND DRUG TESTING
REVISED 1-2009
OHIO DEPARTMENT OF HEALTH

CURRENT STREET ADDRESS (AS VERIFIED BY OFFICER)

CITY

OHIO COUNTY OF RESIDENCE

STATE 

ZIP CODE

DATE OF BIRTH

SOCIAL SECURITY #

4 DIGIT COURT CODE

COUNTY OF VIOLATION

DATE OF VIOLATION

TIME OF VIOLATION

PLACE OF TEST

VIN

DATE OF REFUSAL OR TEST

TIME OF REFUSAL OR TEST

YEAR MAKE

LICENSE PLATE #

TYPE PLATE

STATE

VEHICLE OWNER'S NAME

DATE OF BIRTH

STREET ADDRESS

CITY

STATE

ZIP CODE

VEHICLE STORED AT (STREET ADDRESS)

CITY

B. Officer to Complete for All OWI / Physical Control Arrests:

Circle arrest type: [ ] OVI Physical Control

The driver:

[ ] Refused to submit to test (s).

[ ] Submitted to test(s).

[ ] % alcohol test result

Circle test type for which results were reported:

[ ] Whole Blood, Breath, Urine, Blood Serum, or Blood Plasma

[ ] Whole Blood

[ ] Breath

[ ] Urine

[ ] Blood Serum

[ ] Blood Plasma

[ ] Was placed under an Administrative License Suspension (4511.191)

[ ] License was seized

[ ] Offender was provided a copy of this form at the time of arrest.

I requested the driver, by reading advice on the back, to submit to a chemical test (s) for alcohol and/or the presence of any controlled substance or metabolite. My reasonable grounds for OVI/Physical Control arrest before test were:

[ ] Subject tested for controlled substance or metabolite. Circle test type for which controlled substance or metabolite was tested were reported: Urine, Whole Blood, Blood Serum, or Blood Plasma.

[ ] Specified controlled substance and/or metabolite test results:

[ ] Subject tested positive for prohibited level of marijuana metabolite . (specify amount)

[ ] and was under the influence of alcohol and/or a drug of abuse.

[ ] Alcohol, Controlled substance or metabolite test result received on . Subject served with notice of Administrative License Suspension on . Reasonable means officer used to ensure offender submitted to a chemical test were:

C. Officer to Complete Applicable Vehicle Sanctions:

[ ] Vehicle seized under 4511.191 only (DUS or wrongful entrustment of a motor vehicle) if so, Do Not Mail this form to the BMV

[ ] Vehicle subject to immobilization

[ ] Vehicle subject to forfeiture

D. Officer to Complete if Offender was Operating a Commercial Vehicle:

[ ] Read and showed advice to offender (4506.17)

[ ] Refused to submit to test(s).

[ ] Submitted to test(s).

[ ] % alcohol test result

(Circle One) Whole Blood, Breath, Urine, Blood Serum, or Blood Plasma

[ ] Committed Alcohol Content without OVI charge

[ ] Prohibited Alcohol Content with OVI charge

[ ] Commercial vehicle per definition (4506.01(E))

[ ] 24-hour out-of-service order

[ ] CDL to be disqualified

[ ] CDL seized

[ ] Hazardous material

[ ] Operated a commercial vehicle under the influence of a controlled substance

E. The advice on the back of this form was read to me and I have received a copy of this form:

X DRIVER'S SIGNATURE

[ ] REFUSED TO SIGN

F. Complete Below Only for an OVI / Physical Control ARREST:

We, the undersigned, certify that the advice prescribed by the General Assembly (under 4511.191 and 4511.192), was shown to the person under arrest and read to him or her in the presence of the arresting officer and one other person.

X ARRESTING OFFICER'S SIGNATURE

ENFORCEMENT AGENCY

NCIC #

OFFICER'S BUSINESS STREET ADDRESS

X WITNESS'S SIGNATURE

STATE 

ZIP CODE

COMPLETE BELOW ONLY ON OVI ARREST, PHYSICAL CONTROL ARREST, OR ARREST INVOLVING COMMERCIAL VEHICLE. AFFIDAVIT OF ARRESTING OFFICER:

STATE OF OHIO COUNTY OF

I certify that I arrested the person, having had reasonable grounds to believe the person was operating a vehicle upon a highway, or upon public or private property used by the public for vehicular travel or parking in the State of Ohio, under the influence of alcohol and/or drugs of abuse, in physical control of a vehicle while under the influence of alcohol and/or drugs of abuse, or with a prohibited concentration of alcohol in the whole blood, blood serum, blood plasma, breath, or urine. I advised the person in the prescribed manner of the consequences of refusal or a test.

The person either refused the test, or was under arrest for OVI and took the test and had a prohibited concentration of alcohol in the whole blood, blood serum, blood plasma, breath, or urine (all as described above). In the case of a commercial vehicle (if applicable) I had reasonable grounds to believe the person was driving a commercial motor vehicle in the State of Ohio in violation of section 4506.15 of the Ohio Revised Code. The information contained on this form is true to the best of my knowledge and belief.

X ARRESTING OFFICER SIGNATURE

Sworn to before me this day of 20 .

[ ] CITY OF

X NOTARY PUBLIC'S SIGNATURE

[ ] CITY OF

DEPUTY CLERK OF COURT'S SIGNATURE

BMV 2235 10/08

White/Original - BMV

Canary - Law Enforcement

Pink - Court

Goldenrod - Offender
CONSEQUENCES OF TEST AND REFUSAL (ORC 4511.192) MUST BE READ TO OVI / PHYSICAL CONTROL OFFENDER

"You now are under arrest for (specifically state the offense under state law or a substantially equivalent municipal ordinance for which the person was arrested): operating a vehicle under the influence of alcohol, a drug, or a combination of them; operating a vehicle while under the influence of a listed controlled substance or a listed metabolite of a controlled substance; operating a vehicle after undergoing alcohol consumption; or having physical control of a vehicle while under the influence.

If you refuse to take any chemical test required by law, your Ohio driving privileges will be suspended immediately, and you will have to pay a fee to have the test performed. If you have a prior conviction of OVI, OVJAC, or operating a vehicle under the influence of a listed controlled substance or a listed metabolite of a controlled substance under ORC 4511.19, or any other municipal law within the preceding twenty years, you are now under arrest for state OVI, and, if you refuse to take a chemical test, you will be fined an increased amount if you subsequently are convicted of the state OVI.

If you have previously pled guilty or been convicted of two or more OVIS, OVJACs, or equivalent offenses in the previous six years, or pled guilty or been convicted of five or more OVIS, OVJACs, or equivalent offenses in the previous twenty years, or pled guilty or been convicted of a felony of any of the above violations, and you refuse to submit to a chemical test required by law, I am authorized to use whatever reasonable means are necessary to ensure that you submit to a chemical test.

(Read this part unless the person is under arrest for failing to submit a chemical test required by law and are found to be at or over the prohibited amount of alcohol, a controlled substance, or a metabolite of a controlled substance in your whole blood, blood serum or plasma, breath, or urine as set by law, your Ohio driving privileges will be suspended immediately, and you will have to pay a fee to have the test performed.)

If you take a chemical test, you may have an independent chemical test taken at your own expense."

CONSEQUENCES OF TEST AND REFUSAL - OUT-OF-SERVICE (ORC 4506.17) MUST BE READ IN ADDITION TO THE ABOVE TO AN OFFENDER DRIVING A COMMERCIAL VEHICLE

I am a law enforcement officer; I have probable cause to stop and detain you. After investigating the circumstances, I have probable cause to believe that you were operating a commercial motor vehicle in violation of section 4506.15 of the Ohio Revised Code. I request that you submit to a test of breath or blood in order to determine the alcohol or controlled substance concentration of your blood by placing a urinalysis upon you to make an alcohol concentration determination of your blood. If you refuse to submit to the breath or blood test, or if the test indicates a concentration of any alcohol or controlled substance in excess of the statutory limit, the vehicle and its license plates will be impounded and the owner will be required to surrender your commercial driver license to me.

ADDITIONAL INFORMATION FOR OFFENDER

IMMOLATION OR FORFEITURE UPON OVI ARREST (ORC 4511.195)

If you have previously been convicted of operating a motor vehicle under the influence, OVI, (ORC 4511.19), or similar municipal ordinance, the vehicle and its identification license plates may be seized. The vehicle may be towed and held by the law enforcement agency or may be immobilized. The owner is not entitled to retrieve the vehicle or license plates until all fines, costs, and fees are paid to the law enforcement agency.

OFFENDERS ARRESTED FOR DRIVING UNDER SUSPENSION OR WRONGFUL ENTRUSTMENT OF A MOTOR VEHICLE (ORC 4511.203)

If you are charged for driving under an OVI arrest, (4511.13), driving under an OVJAC offense, (4511.14), or wrongful entrustment of a motor vehicle, (4511.103), the vehicle and identification license plates may be seized, and the vehicle may be towed and impounded by the law enforcement agency. Any period of seizure will be at least until your initial appearance in court. At the initial appearance, the court may order the vehicle returned to you or released to the vehicle owner, if you are convicted of driving under suspension, or of wrongful entrustment of a vehicle, the court may issue an order of immobilization of the vehicle and impoundment of its license plates. Upon a third conviction of wrongful entrustment of a vehicle (4511.203), driving under suspension (4511.13), or driving under suspension (4511.103), the court may order the vehicle returned to you or released to the vehicle owner, if you are the owner, you should immediately inform the owner that the vehicle and the license plates have been seized and that the owner may be able to obtain the return or release of the vehicle and plates at your initial appearance in court.

IF YOU HAVE A COMMERCIAL DRIVER LICENSE AND YOU WERE OPERATING A COMMERCIAL VEHICLE:

A. To appeal your disqualification, you must provide a WRITTEN request for an Administrative Hearing and submit the request by REGISTERED or CERTIFIED MAIL within thirty days of your refusal or test date (see reverse side). Mail your request to:

Ohio Bureau of Motor Vehicles
Attn: CDL / OSP
P O Box 16784
Columbus, Ohio 43216-6784

B. You may appeal this SUSPENSION in court at the time of your initial appearance. Even though you may appeal this suspension, your driving privileges will still be suspended.

NOTICE OF SUSPENSION (ORC 4511.152)

Independent of any penalties or sanctions imposed upon you pursuant to any other section of the Revised Code or municipal ordinance, your driver license or commercial driver license, permit, or nonresident operating privilege is now suspended. The suspension takes effect immediately. The suspension will last at least until your initial appearance on the charge, which will be held within five days after the date of this arrest or the issuance of a citation to you. You may appeal the suspension at the initial appearance before the court that hears the charges against you that resulted from the arrest, or during the period of time ending thirty days after that initial appearance.

LENGTH OF SUSPENSION

FOR REFUSAL

(Depending on prior instances within 6 years)
No prior refusals ........................................... 1 year
One prior refusal ........................................... 2 years
Two or more prior refusals ............................. 3 years

BMV 2255-1068

FOR PROHIBITED CONCENTRATION OF ALCOHOL

(Depending on prior OVI instances within 6 years)
No prior convictions ..................................... 30 days
One prior conviction ..................................... 1 year
Two prior convictions ..................................... 2 years
Three or more prior convictions ...................... 3 years
PHYSICAL CONTROL OF A VEHICLE
WHILE UNDER THE INFLUENCE
SECTION 4511.194
Effective Date: 09/30/2008

(A) As used in this section:

(1) “National highway traffic safety administration” has the same meaning as in section 4511.19 of the Revised Code.

(2) “Physical control” means being in the driver’s position of the front seat of a vehicle or in the driver’s position of a streetcar or trackless trolley and having possession of the vehicle’s, streetcar’s, or trackless trolley’s ignition key or other ignition device.

(B) No person shall be in physical control of a vehicle, streetcar, or trackless trolley if, at the time of the physical control, any of the following apply:

(1) The person is under the influence of alcohol, a drug of abuse, or a combination of them.

(2) The person’s whole blood, blood serum or plasma, breath, or urine contains at least the concentration of alcohol specified in division (A)(1)(b), (c), (d), or (e) of section 4511.19 of the Revised Code.

(3) Except as provided in division (E) of this section, the person has a concentration of a listed controlled substance or a listed metabolite of a controlled substance in the person’s whole blood, blood serum or plasma, or urine that equals or exceeds the concentration specified in division (A)(1)(j) of section 4511.19 of the Revised Code.

(C)(1) In any criminal prosecution or juvenile court proceeding for a violation of this section or a substantially equivalent municipal ordinance, if a law enforcement officer has administered a field sobriety test to the person in physical control of the vehicle involved in the violation and if it is shown by clear and convincing evidence that the officer administered the test in substantial compliance with the testing standards for any reliable, credible, and generally accepted field sobriety tests that were in effect at the time the tests were administered, including, but not limited to, any testing standards then in effect that were set by the national highway traffic safety administration, all of the following apply:

(a) The officer may testify concerning the results of the field sobriety test so administered.

(b) The prosecution may introduce the results of the field sobriety test so administered as evidence in any proceedings in the criminal prosecution or juvenile court proceeding.

(c) If testimony is presented or evidence is introduced under division (C)(1)(a) or (b) of this section and if the testimony or evidence is admissible under the Rules of Evidence, the court shall admit the testimony or evidence, and the trier of fact shall give it whatever weight the trier of fact considers to be appropriate.
DEFINITIONS
SECTION 4511.01
Effective Date: 09/30/2008

As used in this chapter and in Chapter 4513 of the Revised Code:

(A) “Vehicle” means every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except that “vehicle” does not include any motorized wheelchair, any electric personal assistive mobility device, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, other than a bicycle, that is moved by human power.

(B) “Motor vehicle” means every vehicle propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, hole-digging machinery, well-drilling machinery, ditch-digging machinery, farm machinery, and trailers designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.

(C) “Motorcycle” means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as “motor-driven cycle,” “motor scooter,” or “motorcycle” without regard to weight or brake horsepower.

(D) “Emergency vehicle” means emergency vehicles of municipal, township, or county departments or public utility corporations when identified as such as required by law, the director of public safety, or local authorities, and motor vehicles when commandeered by a police officer.

(E) “Public safety vehicle” means any of the following:

(1) Ambulances, including private ambulance companies under contract to a municipal corporation, township, or county, and private ambulances and nontransport vehicles bearing license plates issued under section 4503.49 of the Revised Code;

(2) Motor vehicles used by public law enforcement officers or other persons sworn to enforce the criminal and traffic laws of the state;

(3) Any motor vehicle when properly identified as required by the director of public safety, when used in response to fire emergency calls or to provide emergency medical service to ill or injured persons, and when operated by a duly qualified person who is a member of a volunteer rescue service or a volunteer fire department, and who is on duty pursuant to the rules or directives of that service. The state fire marshal shall be designated by the director of public safety as the certifying agency for all public safety vehicles described in division (E)(3) of this section.

(4) Vehicles used by fire departments, including motor vehicles when used by volunteer fire fighters responding to emergency calls in the fire department service when identified as required by the director of public safety.
Any vehicle used to transport or provide emergency medical service to an ill or injured person, when certified as a public safety vehicle, shall be considered a public safety vehicle when transporting an ill or injured person to a hospital regardless of whether such vehicle has already passed a hospital.

(5) Vehicles used by the motor carrier enforcement unit for the enforcement of orders and rules of the public utilities commission as specified in section 5503.34 of the Revised Code.

(HHH) “Operate” means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.
OHIO REVISED CODE
REVIEW QUESTIONS

1) 4511.19 (OVI) applies to:
Who __________________________________________
Doing What _________________________________
In What _________________________________
Where ______________________________________

2) A sample must be obtained within ________ hours of the
____________________ ______________________.

3) The sample may be of _______________, ________________________________,
_____________, _______________ or other bodily substances.

4) Only a _______________, ________________________,
_________________________, ____________________ or __________________
shall withdraw a blood sample.

5) Only a _______________ _______________ may analyze the
sample.

6) The sample shall be analyzed in accordance with methods approved by the
____________________  ____________________.

7) The per se level (prohibited amount) for adults is at or above:
______% BAC in whole blood, or;
______% BAC in blood serum or plasma, or;
______ grams of alcohol per ______ liters of breath, or;
______ grams of alcohol per ______ milliliters of urine.

8) [ ] T [ ] F If the sample tested below the per se level. Such fact may be
considered along with other competent evidence.

9) Can the qualified person (see #4 above) refuse to draw blood?
_________ Why? ____________________________________________.

10) If a person is tested pursuant to 4511.19 (OVI) they shall be advised of their
_________ upon request, and their right to obtain a ________________
_____________ _______________ of their own choosing.

11) Does the time limit apply to a private additional test? ________.
12) 4511.191 (ALS) applies to ____________________ If arrested for _______
Doing what _______________ In what _______________ Where _______
____________________________________________________________.

13) The advice of consequences of refusal or positive test shall be in written form
prescribed by the _____________  ____  ____________  ____________

14) The ALS form shall be ___________________ and ______________ to the person.

15) #14 above must be done by the _______________ ______________
in the presence of a __________________________.

16) Who qualifies as a witness to the notification of consequences of a refusal or
positive test? ________________________________
____________________________________________________________.

17) What conditions cause an immediate ALS to take place? ____________
or ________________________________________.

18) When must a person appear in court after an arrest for OVI or physical control?
__________________________________________________________.

19) Where would this appeal take place? _____________________________
____________________________________________________________.

20) What is the scope of the appeal? (see #18 and #19 above)
____________________________________________________________
____________________________________________________________
____________________________________________________________

21) The five areas of responsibility given the Director of Health under 3701.143
are: Determine _______________ or _______________ for
chemically analyzing a person’s blood, urine or breath. Approve satisfactory
_______________ or ________________, ascertain
_______________ of individuals to perform tests, _____________
permits and ______________ permits.
3701-53-01
Techniques or methods

(A) Tests to determine the concentration of alcohol may be applied to blood, breath, urine, or other bodily substances. Results shall be expressed as equivalent to:

(1) Grams by weight of alcohol per one hundred milliliters of whole blood, blood serum or plasma (grams per cent by weight);

(2) Grams by weight of alcohol per two hundred ten liters of deep lung breath;

(3) Grams by weight of alcohol per one hundred milliliters of urine (grams per cent by weight);

(4) Nanograms by weight of a controlled substance or a metabolite of a controlled substance per milliliter of blood, urine, or other bodily substance.

The results of the tests shall be retained for not less than three years.

(B) At least one copy of the written procedure manual required by paragraph (D) of rule 370153-06 of the Administrative Code for performing blood, urine, or other bodily substance tests shall be on file in the area where the analytical tests are performed.

Effective: 01/08/2009
Breath tests

(A) The instruments listed in this paragraph are approved as evidential breath testing instruments for use in determining whether a person's breath contains a concentration of alcohol prohibited or defined by sections 4511.19 and/or 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration. The approved evidential breath testing instruments are:

(1) BAC DataMaster, BAC DataMaster K, BAC DataMaster cdm; and

(2) Intoxilyzer model 5000 series 66, 68 and 68 EN, and

(3) Intoxilyzer model 8000 (OH-5).

(B) The instruments listed in this paragraph are approved as additional evidential breath testing instruments for use in determining whether a person's breath contains a concentration of alcohol prohibited or defined by section 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration. The approved evidential breath testing instrument is:

(1) Intoxilyzer model 8000 (OH-2).

(C) Breath samples of deep lung (alveolar) air shall be analyzed for purposes of determining whether a person has a prohibited breath alcohol concentration with instruments approved under paragraphs (A) and (B) of this rule.

(D) Breath samples using instruments listed under paragraphs (A)(1), (A)(2) and (B) of this rule shall be analyzed according to the operational checklist for the instrument being used and checklist forms recording the results of subject tests shall be retained in accordance with paragraph (A) of rule 3701-53-01 of the Administrative Code. The results shall be recorded on forms prescribed by the director of health.

(E) Breath samples using the instrument listed under paragraph (A)(3) of this rule shall be analyzed according to the instrument display for the instrument being used. The results of subject tests shall be retained in a manner prescribed by the director of health and shall be retained in accordance with paragraph (A) of rule 3701-53-01 of the Administrative Code.

Effective: 01/08/2009
3701-53-03
Blood, urine and other bodily substance tests

(A) Alcohol in blood, urine and other bodily substances shall be analyzed based on approved techniques or methods. The technique or method must have documented sensitivity, specificity, accuracy, precision and linearity. The technique or method can be based on procedures which have been published in a peer reviewed or juried scientific journal or thoroughly documented by the laboratory. Approved techniques or methods include:

(1) Gas chromatography; and

(2) Enzyme assays.

(B) Controlled substances or metabolites of a controlled substance as defined in section 4511.19, and drugs of abuse as defined in section 3719.011 of the Revised Code in blood, urine, and other bodily substances shall be analyzed using techniques or methods approved by the director of health as part of the permit process as specified in rules 3701-53-07 and 3701-53-09 of the Administrative Code. The approved analytical techniques or methods are:

(1) Immunoassay;

(2) Thin-layer chromatography;

(3) Gas chromatography;

(4) Mass spectroscopy;

(5) High performance liquid chromatography; or

(6) Spectroscopy.

All positive results of tests specified in paragraph (B) of this rule must be confirmed by one or more dissimilar analytical techniques or methods and must be part of a testing procedure. The analytical techniques or methods used for confirmation must have similar or improved sensitivity, specificity, accuracy, precision and linearity. The approved techniques or methods can be based on procedures which have been published in a peer reviewed or juried scientific journal or thoroughly documented by the laboratory.

Effective: 01/08/2009
3701-53-04
Instrument checks, controls and certifications

(A) A senior operator shall perform an instrument check on approved evidential breath testing instruments listed under paragraphs (A)(1), (A)(2), and (B) of rule 3701-53-02 no less frequently than once every seven days in accordance with the appropriate instrument checklist for the instrument being used. The instrument check may be performed anytime up to one hundred and ninety-two hours after the last instrument check.

(1) The instrument shall be checked to detect radio frequency interference (RFI) using a hand-held radio normally used by the law enforcement agency performing the instrument check. The RFI detector check is valid when the evidential breath testing instrument detects RFI or aborts a subject test. If the RFI detector check is not valid, the instrument shall not be used until the instrument is serviced.

(2) An instrument shall be checked using a solution containing ethyl alcohol approved by the director of health. An instrument check result is valid when the result of the instrument check is at or within five one-thousandths (0.005) grams per two hundred ten liters of the target value for that approved solution. An instrument check result which is outside the range specified in this paragraph shall be confirmed by the senior operator using another bottle of approved solution. If this instrument check result is also out of range, the instrument shall not be used until the instrument is serviced or repaired.

(B) Instruments listed under paragraph (A)(3) of rule 3701-53-02 shall automatically perform a dry gas control test before and after every subject test and instrument certification using a dry gas standard traceable to the national institute of standards and technology (NIST). Dry gas control results are valid with the results are at or within five one-thousandths (0.005) grams per two hundred ten liters of the alcohol concentration on the manufacturer’s certificate of analysis for that dry gas standard. A dry gas control result which is outside the range specified in this paragraph will abort the subject test or instrument certification in progress.

(C) Representatives of the director shall perform an instrument certification on approved evidential breath testing instruments listed under paragraph (A)(3) of rule 3710-53-02 of the Administrative Code using a solution containing ethyl alcohol approved by the director of health according to the instrument display for the instrument being certified. An instrument shall be certified no less frequently than once every calendar year or when the dry gas standard on the instrument is replaced, whichever comes first. Instrument certifications are valid when the certification results are at or within five one-thousandths (0.005) grams per two hundred ten liters of the target value for that approved solution. Instruments with certification results outside the range specified in this paragraph will require the instrument be removed from service until the instrument is serviced or repaired. Certification results shall be retained in a manner prescribed by the director of health.
(D) An instrument check or certification shall be made in accordance with paragraphs (A) and (C) of this rule when a new evidential breath testing instrument is placed in service or when the instrument is returned after service or repairs, before the instrument is used to test subjects.

(E) A bottle of approved solution shall not be used more than three months after its date of first use, or after the manufacturer's expiration date on the approved solution certificate, whichever comes first. After first use, a bottle of approved solution shall be kept under refrigeration when not being used. The approved solution bottle shall be retained for reference until that bottle of approved solution is discarded.

(F) Each testing day, the analytical techniques or methods used in rule 3701-53-03 of the Administrative Code shall be checked for proper calibration under the general direction of the designated laboratory director. General direction does not mean that the designated laboratory director must be physically present during the performance of the calibration check.

(G) Results of instrument checks, controls, certifications, calibration checks and records of service and repairs shall be retained in accordance with paragraph (A) of rule 3701-53-01 of the Administrative Code.

Effective: 01/08/2009
3701-53-05
Collection and handling of blood and urine specimens

(A) All samples shall be collected in accordance with section 4511.19, or section 1547.11 of the Revised Code, as applicable.

(B) When collecting a blood sample, an aqueous solution of a non-volatile antiseptic shall be used on the skin. No alcohols shall be used as a skin antiseptic.

(C) Blood shall be drawn with a sterile dry needle into a vacuum container with a solid anticoagulant, or according to the laboratory protocol as written in the laboratory procedure manual based on the type of specimen being tested.

(D) The collection of a urine specimen must be witnessed to assure that the sample can be authenticated. Urine shall be deposited into a clean glass or plastic screw top container which shall be capped, or collected according to the laboratory protocol as written in the laboratory procedure manual.

(E) Blood and urine containers shall be sealed in a manner such that tampering can be detected and have a label which contains at least the following information:

   (1) Name of suspect;

   (2) Date and time of collection;

   (3) Name or initials of person collecting the sample; and

   (4) Name or initials of person sealing the sample.

(F) While not in transit or under examination, all blood and urine specimens shall be refrigerated.

Effective: 01/08/2009
3701-53-06
Laboratory requirements

(A) Chain of custody and the test results for evidential alcohol and drugs of abuse shall be identified and retained for not less than three years, after which time the documents may be discarded unless otherwise directed in writing from a court. All positive blood, urine and other bodily substances shall be retained in accordance with rule 3701-53-05 of the Administrative Code for a period of not less than one year, after which time the specimens may be discarded unless otherwise directed in writing from a court.

(B) The laboratory shall successfully complete a national proficiency testing program using the applicable technique or method for which the laboratory personnel seek a permit under rule 3701-53-09 of the Administrative Code.

(C) The laboratory shall have a written procedure manual of all analytical techniques or methods used for testing of alcohol or drugs of abuse in bodily substances. Textbooks and package inserts or operator manuals from the manufacturer may be used to supplement, but may not be used in lieu of the laboratory's own procedure manual for testing specimens.

(D) The designated laboratory director shall review, sign, and date the procedure manual as certifying that the manual is in compliance with this rule. The designated laboratory director shall ensure that:

1. Any changes in a procedure be approved, signed, and dated by the designated laboratory director;
2. The date the procedure was first used and the date the procedure was revised or discontinued is recorded;
3. A procedure shall be retained for not less than three years after the procedure was revised or discontinued, or in accordance with a written order issued by any court to the laboratory to save a specimen that was analyzed under that procedure;
4. Laboratory personnel are adequately trained and experienced to perform testing of blood, urine and other bodily substances for alcohol and drugs of abuse and shall ensure, maintain and document the competency of laboratory personnel. The designated laboratory director shall also monitor the work performance and verify the skills of laboratory personnel;
5. The procedure manual includes the criteria the laboratory shall use in developing standards, controls, and calibrations for the technique or method involved; and
6. A complete and timely procedure manual is available and followed by laboratory personnel.

(E) Any time the designated laboratory director is replaced, another permitted laboratory director or applicant shall be designated and approved by the director.
3701-53-07
Qualifications of personnel

(A) Blood, urine, and other bodily substance tests for alcohol shall be performed in a laboratory by an individual who has a laboratory director's permit or, under his or her general direction, by an individual who has a laboratory technician's permit. General direction does not mean that the laboratory director must be physically present during the performance of the test. Laboratory personnel shall not perform a technique or method of analysis that is not listed on the laboratory director's permit.

(1) An individual who is employed by a laboratory, which has successfully completed a proficiency examination administered by a national program for proficiency testing for the approved technique or method of analysis for which the permit is sought and who possesses at least two academic years of college chemistry and at least two years of experience in a clinical or chemical laboratory and possesses a minimum of a bachelor's degree shall meet the qualifications for a laboratory director's permit.

(2) An individual who is employed by a laboratory, which has successfully completed a proficiency examination administered by a national program for proficiency testing for the approved technique or method of analysis for which the permit is sought, has been certified by the designated laboratory director that he or she is competent to perform all procedures contained in the laboratory's procedure manual for testing specimens and meets one of the following requirements shall meet the qualifications for a laboratory technician's permit:

(a) Has a bachelor's degree in laboratory sciences from an accredited institution and has six months experience in laboratory testing;

(b) Has an associate's degree in laboratory sciences from an accredited institution or has completed sixty semester hours of academic credit including six semester hours of chemistry and one year experience in laboratory testing;

(c) Is a high school graduate or equivalent and has successfully completed an official military laboratory procedures course of at least fifty weeks duration and has held the military enlisted occupational specialty of medical laboratory specialist (laboratory technician); or

(d) Is a high school graduate or equivalent and was permitted on or before July 7, 1997.
(B) Blood, urine and other bodily substances tests for drugs of abuse shall be performed in a laboratory by an individual who has a laboratory director's permit or, under his or her general direction, by an individual who has a laboratory technician's permit. General direction does not mean that the laboratory director must be physically present during the performance of the test. Laboratory personnel shall not perform a technique or method of analysis that is not listed on the laboratory director's permit.

(1) An individual who is employed by a laboratory, which has successfully completed a proficiency examination administered by a national program for proficiency testing for the approved technique or method of analysis for which the permit is sought, who possesses at least two academic years of college chemistry and meets one of the following requirements shall meet the qualifications for a laboratory director's permit:

(a) Has at least five years of experience in a clinical or chemical laboratory and possesses a minimum of a bachelor's degree in laboratory sciences;

(b) Has at least three years of experience in a clinical or chemical laboratory and possesses a minimum of a master's degree; or

(c) Has at least two years of experience in a clinical or chemical laboratory and possesses a minimum of an earned doctoral degree.

(2) An individual who is employed by a laboratory, which has successfully completed a proficiency examination administered by a national program for proficiency testing for the approved technique or method of analysis for which the permit is sought, has been certified by the designated laboratory director that he or she is competent to perform all procedures contained in the laboratory's procedure manual for testing specimens and meets one of the following requirements shall meet the qualifications for a laboratory technician's permit:

(a) Has a bachelor's degree in laboratory sciences from an accredited institution and has one year experience in laboratory testing;

(b) Has an associate's degree in laboratory sciences from an accredited institution or has completed sixty semester hours of academic credit including six semester hours of chemistry and two years experience in laboratory testing;

(c) Is a high school graduate or equivalent and has successfully completed an official military laboratory procedures course of at least fifty weeks duration and has held the military enlisted occupational specialty of medical laboratory specialist (laboratory technician) and two years experience in laboratory testing; or

(d) Is a high school graduate or equivalent and was permitted on or before July 7, 1997.
(C) Breath tests used to determine whether a person's breath contains a concentration of alcohol prohibited or defined by sections 4511.19 and/or 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration shall be performed by a senior operator or an operator. A senior operator shall be responsible for the care, maintenance and instrument checks of the approved evidential breath testing instruments listed in paragraphs (A)(1), (A)(2) and (B) or rule 3701-53-02 of the Administrative Code. Representatives of the director shall be responsible for the instrument certifications on approved evidential breath testing instruments listed under paragraph (A)(3) of rule 3701-53-02 of the Administrative Code.

(D) An individual meets the qualifications for a senior operator's permit by:

1. Being a high school graduate or having passed the "General Education Development Test";
2. Being a certified law enforcement officer sworn to enforce sections 4511.19 and or 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration, or a certified corrections officer, and;
3. Having demonstrated that he or she can properly care for, maintain, perform instrument checks upon and operate the evidential breath testing instrument by having successfully completed a basic senior operator, upgrade or conversion training course for the type of approved evidential breath testing instrument for which he or she seeks a permit.

(E) An individual meets the qualifications for an operator's permit by:

1. Being a high school graduate or having passed the "General Education Development Test";
2. Being a certified law enforcement officer sworn to enforce sections 4511.19 and or 1547.11 of the Revised Code, or any other equivalent statute or local ordinance prescribing a defined or prohibited breath alcohol concentration, or a certified corrections officer, and;
3. Having demonstrated that he or she can properly operate the evidential breath testing instrument by having successfully completed a basic operator or conversion training course for the type of approved evidential breath testing instrument for which he or she seeks a permit.

Effective: 01/08/2009
3701-53-08
Surveys and proficiency examinations

(A) Individuals desiring to function as laboratory directors and laboratory technicians who apply for or are issued permits under paragraph (A) of rule 3701-53-09 of the Administrative Code shall be subject to surveys and proficiency examinations by representatives of the director of health. A survey or proficiency examination may be conducted at the director's discretion.

(1) A survey shall consist of a review of the permit holder's, applicant's or laboratory's compliance with the requirements of this chapter.

(2) A proficiency examination shall consist of an evaluation of the permit holder's, applicant's or laboratory's ability to test samples provided by a representative of the director, or has successfully completed a proficiency examination administered by a national program for proficiency testing using the techniques or methods for which the permit is held or sought. Proficiency examination samples may be:

(a) Mailed to the facility at which the permit holder or applicant uses or plans to use the permit; or

(b) Presented in person by a representative of the director at the facility where the permit holder or applicant uses or plans to use the permit.

(B) During proficiency examinations, laboratory directors, laboratory technicians and applicants shall accept samples, perform tests, and report all test results to a representative of the director or the national program that administered the proficiency testing. During surveys and proficiency examinations, permit holders, applicants and laboratories shall grant the director's representatives access to all portions of the facility where the permit is used or is intended to be used and to all records relevant to compliance with the requirements of this chapter.

(C) Individuals desiring to function as senior operators and operators who apply for or are issued permits under paragraph (B) of rule 3701-53-09 of the Administrative Code, shall be subject to surveys and proficiency examinations conducted at the director's discretion.

(1) A survey shall consist of a review of the permit holder's or applicant's compliance with the requirements of this chapter.

(2) A proficiency examination shall consist of an evaluation of the permit holder's or applicant's ability to test samples using the evidential breath testing instrument for which the permit is held or sought.

(D) Individuals desiring to function as operators who apply for or are issued an operator access card under paragraph (C) of rule 3701-53-09 of the Administrative Code, shall be subject to a proficiency examination once per calendar year conducted at the director’s discretion.
(E) During proficiency examinations, senior operators, operators and applicants shall accept
samples, perform tests and report all results to a representative of the director or the
proficiency examination administered by a national program for proficiency testing. During
surveys and proficiency examinations, permit holders, applicants and laboratories shall grant
the director's representatives access to all portions of the facility where the permit is used or
is intended to be used, and to all records relevant to compliance with the requirements of
this chapter.

Effective: 01/08/2009
3701-53-09

Permits and operator access cards

(A) Individuals desiring to function as laboratory directors or laboratory technicians shall apply to the director of health for permits on forms prescribed and provided by the director. A separate application shall be filed for a permit to perform tests to determine the amount of alcohol in a person's blood, urine or other bodily substance, and a separate permit application shall be filed to perform tests to determine the amount of drugs of abuse in a person's blood, urine or other bodily substance. A laboratory director's and laboratory technician's permit is only valid for the laboratory indicated on the permit.

(1) The director shall issue permits to perform tests to determine the amount of alcohol in a person's blood, urine or other bodily substance to individuals who qualify under the applicable provisions of rule 3701-53-07 of the Administrative Code or under paragraph (A) of this rule. Laboratory personnel holding permits issued under this rule shall use only those laboratory techniques or methods for which they have been issued permits.

(a) The laboratory where the permit holder is employed shall have successfully completed a proficiency examination from a national program for proficiency testing using the applicable techniques or methods, and provide to representatives of the director all proficiency test results.

(b) Permit holders shall successfully complete proficiency examinations by representatives of the director using the techniques or methods for which they have been issued permits.

(2) The director shall issue permits to perform tests to determine the amount of drugs of abuse in a person's blood, urine or other bodily substances to individuals who qualify under the applicable provisions of rule 3701-53-07 of the Administrative Code or under paragraph (A) of this rule. Laboratory personnel holding permits issued under this rule shall use only those laboratory techniques or methods for which they have been issued permits.

The laboratory where the permit holder is employed shall have successfully completed a proficiency examination from a national program for proficiency testing using the applicable techniques or methods, and provide to representatives of the director all proficiency test results.

(B) Individuals desiring to function as senior operators or operators using instruments listed under paragraphs (A)(1), (A)(2), and (B) of rule 3701-53-02 of the Administrative Code shall apply to the director of health for permits on forms prescribed and provided by the director of health. A separate application shall be filed for each type of evidential breath testing instrument for which the permit is sought.

The director of health shall issue permits to perform tests to determine the amount of alcohol in a person's breath to individuals who qualify under the applicable provisions of rule 3701-53-07 of the Administrative Code. Individuals holding permits issued under this rule shall use only those evidential breath testing instruments for which they have been issued a permit.
(C) Permits issued after the effective date of this rule under paragraphs (A) and (B) of this rule shall expire one year from the effective date, unless revoked prior to the expiration date. An individual holding a permit may seek renewal of an issued permit by the director under paragraphs (A) and (B) of this rule by filing an application with the director no sooner than six months before the expiration date of the current permit. The director shall not renew the permit if the permit holder is in proceedings for revocation of his or her current permit under rule 3701-53-10 of the Administrative code.

(D) Individuals desiring to function as operators using instruments listed under paragraph (A)(3) of rule 3701-53-02 of the Administrative Code shall apply to the director of health for operator access cards on forms prescribed and provided by the director of health. The director of health shall issue operator access cards to perform tests to determine the amount of alcohol in a person’s breath to individuals who qualify under the applicable provisions of rule 3701-53-07 of the Administrative Code. Individuals holding operator access cards issued under this rule shall use only those evidential breath testing instruments for which they have been issued an operator access card.

(E) Operator access cards issued under paragraph (D) of this rule shall not expire unless revoked by the director under rule 3701-53-10 of the administrative Code. To retain an operator access card under paragraph (D) of this rule, the individual shall present evidence satisfactory to the director that he or she continues to meet the qualifications established by the applicable provisions of rules 3701-53-07 and 3701-53-08 of the Administrative Code for issuance of the operator access card sought.

(F) To qualify for renewal of a permit under paragraph (A) or (B) of this rule:

(1) A permit holder shall present evidence satisfactory to the director that he or she continues to meet the qualifications established by the applicable provisions of rule 3701-53-07 of the Administrative Code for issuance of the type of permit sought.

(2) If the individual seeking a renewal permit currently holds a laboratory technician or laboratory director permit, the permit holder shall meet the requirements of paragraph (A) of this rule.

(3) If the individual seeking a renewal permit currently holds an operator or senior operator permit, the permit holder shall have completed satisfactorily an in-service course for the applicable type of evidential breath testing instrument which meets the requirements of paragraph (B) of this rule, which includes review of self-study materials furnished by the director.

(G) The director, director’s designee or individuals appointed by the director of health are not required to retain permits or operator access cards while acting as representatives of the director.

Effective: 01/08/2009
**3701-53-10**

**Revocation suspension and denial of permits or operator access cards**

The director of health may deny, suspend or revoke the permit or operator access card of any permit holder or individual:

(A) Who obtains or seeks to obtain a permit or operator access card falsely or deceitfully;

(B) Who fails to comply with any of the provisions of rules 3701-53-01 to 3701-53-09 of the Administrative Code; or

(C) Who:

(1) As a senior operator, fails to demonstrate that he or she can properly care for, maintain, perform instrument checks upon, and operate the breath testing instrument for which the permit is held;

(2) As an operator, fails to demonstrate that he or she can properly operate the breath testing instrument for which the permit or operator access card is held;

(3) As a laboratory director or laboratory technician, fails to demonstrate that he or she can properly perform the technique or method of analysis for which the permit is held; or

(4) As the designated laboratory director, fails to comply with paragraph (D) of rule 3701-53-06 of the Administrative Code.

Effective: 01/08/2009
OHIO ADMINISTRATIVE CODE
REVIEW QUESTIONS

1) The results of breath tests are to be expressed as _____ of alcohol per ____ liters of breath.

2) Test results shall be retained for not less than ____ years.

3) T F A test report form containing the operational checklist is used each and every time the instrument is operated.

4) An instrument reading of .18% BAC is equivalent to _____ G/210 L.

5) An instrument check is required on every evidential breath testing instrument no less frequently than once every ______ days.

6) Who shall perform the instrument check?

7) An instrument check consists of: ______________ & ____________________.

8) T F Instruments which fail instrument checks may be used to test subjects until the instrument can be serviced.

9) An operator performs ______________ tests.

10) In addition to performing ______________ tests, a senior operator shall be responsible for the __________ __________ and __________ __________ of the breath testing instrument.

11) When must a permit holder pass a proficiency test?

12) Breath testing permits are valid for ____ years.

13) A permit holder may take a written test any time after ____ months prior to current expiration date.
14) A breath testing permit may be revoked for (circle the correct answers):

a) falsely obtaining a permit

b) failure to seize drivers license upon refusal

c) performing tests on an instrument for which you do not have a valid permit

d) not advising the subject of your permit number and expiration date

e) failing a proficiency test

f) not reading and showing the refusal form

g) not signing the refusal form

h) not advising the subject of his test results

i) not following the checklist for your instrument
NOMENCLATURE

BAC DATAMASTER - FRONT VIEW

A. SAMPLE HOSE
B. RFI ANTENNA
C. RUN BUTTON
D. PRINTOUT SLOT
E. READY LIGHT
F. DISPLAY
G. RESTRICTED ACCESS PANEL (ONLY ON STANDARD MODEL)
H. KEYBOARD
NOMENCLATURE
BAC DATAMASTER - REAR VIEW

A. SAMPLE HOSE
B. RFI ANTENNA
C. POWER SWITCH
D. VAPOR IN
E. PRESSURE OUT OR PUMP OUT
F. AC POWER RECEPTACLE
G. PHONE JACK
H. KEYBOARD JACK
I. SERIAL # (PANEL)
# BAC Datamaster

## Subject Test Form

<table>
<thead>
<tr>
<th>Test Date</th>
<th>Subject Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Month</td>
<td>Day</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>State</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Arresting Officer</td>
<td>Department</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Violation</td>
<td>Test Site #</td>
</tr>
</tbody>
</table>

## BAC DataMaster Operational Checklist

- (1) Observe subject for twenty minutes prior to testing to prevent oral intake of any material.
- (2) Press "RUN" button.
- (3) Enter data as prompted by instrument display.
- (4) Take breath sample when "PLEASE BLOW" appears on display.

<table>
<thead>
<tr>
<th>Test Result</th>
<th>0. _______ g/210L</th>
</tr>
</thead>
</table>

## Permit Information

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Expiration Date</th>
<th>Instrument Serial #</th>
<th>Test I.D. #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Month</td>
<td>Day</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Operators Signature

<table>
<thead>
<tr>
<th>Operators Signature</th>
<th>Department</th>
</tr>
</thead>
</table>

Original: Court Copy Copy: Filed At Instrument Site

RULE 3701-53-02 HEA 2650 REV 8/2002
## OPERATIONAL CHECKLIST

<table>
<thead>
<tr>
<th>BAC DataMaster Standard</th>
<th>BAC DataMaster &quot;K&quot; Model</th>
<th>BAC DataMaster cdm</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Observe subject for twenty minutes prior to testing to prevent oral intake of any material.</strong></td>
<td>This observation period is so you can be sure that the sample actually came from the subject's deep lung air, and not from something placed in the mouth.</td>
<td>This observation period is so you can be sure that the sample actually came from the subject's deep lung air, and not from something placed in the mouth.</td>
</tr>
<tr>
<td><strong>2. Press &quot;RUN&quot; button.</strong></td>
<td>The RUN button will initiate the testing sequence.</td>
<td>The RUN button will initiate the testing sequence.</td>
</tr>
<tr>
<td><strong>3. Enter data as prompted by instrument display.</strong></td>
<td>A series of prompts will appear on the display which requires operator response as illustrated below. The bottom line of the display where the cursor flashes is where your response will appear as you enter it.</td>
<td>A series of prompts will appear on the display which requires operator response as illustrated below. The bottom line of the display where the cursor flashes is where your response will appear as you enter it.</td>
</tr>
</tbody>
</table>

<p>| PASSWORD: | Enter the operator level password. |</p>
<table>
<thead>
<tr>
<th><strong>BAC DataMaster Standard</strong></th>
<th><strong>BAC DataMaster &quot;K&quot; Model</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACCESS DENIED!</strong></td>
<td></td>
</tr>
<tr>
<td>If the incorrect password is entered, press run and re-enter password.</td>
<td></td>
</tr>
<tr>
<td><strong>INSERT TICKET</strong></td>
<td></td>
</tr>
<tr>
<td>Insert the <em>printout ticket</em> according to the instructions printed on the ticket.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SUBJECT'S NAME</strong></th>
<th><strong>(L/F/M):</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>_</td>
<td>_</td>
</tr>
<tr>
<td>Enter the subject’s name (<em>LAST / FIRST / MIDDLE NAME OR INITIAL</em>). You must use a &quot;/&quot; to separate the names. To complete your answer press RETURN, this will accept your response and advance you to the next prompt. If you enter an incorrect character, you can correct it by using the BACKSPACE key or ← key on newer keyboards and correcting before pushing RETURN. If you have already pressed RETURN you can still correct by reviewing data after completing all the responses.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>SUBJECT SS#:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>_</td>
<td>_</td>
</tr>
<tr>
<td>Enter the subject's <em>SOCIAL SECURITY NUMBER</em>, the hyphens are optional.</td>
<td></td>
</tr>
<tr>
<td><strong>BAC DataMaster Standard</strong></td>
<td><strong>BAC DataMaster &quot;K&quot; Model</strong></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td><strong>SUBJECT DOB:</strong></td>
<td></td>
</tr>
<tr>
<td><code>mm/dd/yy</code></td>
<td></td>
</tr>
<tr>
<td>Enter the subject’s <strong>DOB</strong> using 2 digits for <strong>month, day and year</strong>.</td>
<td></td>
</tr>
<tr>
<td><strong>SEX:</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>A <strong>Male</strong> or <strong>Female</strong> response is required.</td>
<td></td>
</tr>
<tr>
<td><strong>ACCIDENT?</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Accident requires a <strong>Yes</strong> or <strong>No</strong> response. <strong>A Yes</strong> response will trigger a series of <strong>Y/N</strong> questions about the accident.</td>
<td></td>
</tr>
<tr>
<td><strong>OPERATOR NAME</strong></td>
<td><strong>OPERATOR’S NAME</strong></td>
</tr>
<tr>
<td><code>(L/F/M)</code>:</td>
<td><code>(L/F)</code>:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter your <strong>name</strong>.</td>
<td>Enter your <strong>name</strong>.</td>
</tr>
<tr>
<td><code>(LAST / FIRST / MIDDLE NAME OR INITIAL)</code></td>
<td><code>(LAST / FIRST)</code></td>
</tr>
<tr>
<td><strong>ODH PERMIT #:</strong></td>
<td><strong>PERMIT #:</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter your <strong>PERMIT NUMBER</strong>, the two dashes will automatically appear in the response line.</td>
<td>Enter your <strong>PERMIT NUMBER</strong>, the two dashes will automatically appear in the response line.</td>
</tr>
<tr>
<td>BAC DataMaster Standard</td>
<td>BAC DataMaster cdm</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td><strong>ARRESTING AGENCY:</strong></td>
<td></td>
</tr>
<tr>
<td>–</td>
<td></td>
</tr>
<tr>
<td>Enter the name of the arresting officer's department.</td>
<td></td>
</tr>
<tr>
<td><strong>REVIEW DATA?</strong></td>
<td><strong>&lt;Y/N&gt;</strong></td>
</tr>
<tr>
<td>–</td>
<td></td>
</tr>
<tr>
<td>Pressing Yes will cause each of the previous responses to be displayed for correction. Pressing No will cause the test sequence to begin as follows:</td>
<td>Pressing Yes will cause each of the previous responses to be displayed for correction. Pressing No will cause the test sequence to begin as follows:</td>
</tr>
<tr>
<td><strong>PURGING</strong></td>
<td><strong>.000</strong></td>
</tr>
<tr>
<td>Room/purge air is flushed through the sample chamber.</td>
<td>Room/purge air is flushed through the sample chamber.</td>
</tr>
<tr>
<td><strong>AMBIENT ZEROING</strong></td>
<td></td>
</tr>
<tr>
<td>The instrument automatically zeroes itself to ambient conditions.</td>
<td>The instrument automatically zeroes itself to ambient conditions.</td>
</tr>
<tr>
<td>BAC DataMaster Standard</td>
<td>BAC DataMaster &quot;K&quot; Model</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td><strong>BLANK TEST</strong></td>
<td><strong>AIR BLANK</strong></td>
</tr>
<tr>
<td>.000</td>
<td></td>
</tr>
<tr>
<td>The instrument tests the room/purge air. The reading on the blank test must be .003 or less.</td>
<td>The instrument tests the room/purge air. The reading on the blank test must be .003 or less.</td>
</tr>
<tr>
<td><strong>INTERNAL STANDARD CHECK</strong></td>
<td><strong>INTERNAL STANDARD CHECK</strong></td>
</tr>
<tr>
<td>The instrument performs a check for accuracy, which is verified as part of each test.</td>
<td>The instrument performs a check for accuracy, which is verified as part of each test.</td>
</tr>
<tr>
<td><strong>SUBJECT REFUSE?</strong></td>
<td><strong>SUBJECT REFUSE?</strong></td>
</tr>
<tr>
<td>&lt;Y/N&gt;</td>
<td>&lt;Y/N&gt;</td>
</tr>
<tr>
<td>Enter No if the subject is going to take the test. Enter Yes if the subject refuses and the refusal printout occurs.</td>
<td>Enter No if the subject is going to take the test. Enter Yes if the subject refuses and the refusal printout occurs.</td>
</tr>
</tbody>
</table>

[ ] 4. Take breath sample when "PLEASE BLOW" appears on display.
### BAC DataMaster Standard

<table>
<thead>
<tr>
<th><strong>BAC DataMaster &quot;K&quot; Model</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PLEASE BLOW</strong></td>
</tr>
</tbody>
</table>

The audible tone and the words **PLEASE BLOW** act as a pressure indicator. If the subject blows with sufficient pressure, **PLEASE BLOW** will remain steady, if not **PLEASE BLOW** will flash. If no sample, or an insufficient sample is detected within **two minutes**, the blow phase will terminate (see section on insufficient sample). In order for the subject to complete the test, the subject has to give a long steady breath of at least 4 to 5 seconds duration and **must not stop blowing**. When the subject completes the breath sample, an audible signal of **one short beep** will be heard, along with the alcohol results being displayed.

<table>
<thead>
<tr>
<th><strong>TEST RESULTS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ALCOHOL</strong></td>
</tr>
</tbody>
</table>

The alcohol results are displayed.

<table>
<thead>
<tr>
<th><strong>PURGING</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>.000</td>
</tr>
</tbody>
</table>

The instrument performs another purge to clear the sample chamber.

### BAC DataMaster cdm

<table>
<thead>
<tr>
<th><strong>BAC DataMaster cdm</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PLEASE BLOW</strong></td>
</tr>
</tbody>
</table>

The audible tone and the words **PLEASE BLOW** act as a pressure indicator. If the subject blows with sufficient pressure, **PLEASE BLOW** will remain steady, if not **PLEASE BLOW** will flash. If no sample, or an insufficient sample is detected within **two minutes**, the blow phase will terminate (see section on insufficient sample). In order for the subject to complete the test, the subject has to give a long steady breath of at least 4 to 5 seconds duration and **must not stop blowing**. When the subject completes the breath sample, an audible signal of **one short beep** will be heard, along with the alcohol results being displayed.

<table>
<thead>
<tr>
<th><strong>TEST RESULTS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ALCOHOL</strong></td>
</tr>
</tbody>
</table>

The alcohol results are displayed.

<table>
<thead>
<tr>
<th><strong>PURGING</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>.000</td>
</tr>
</tbody>
</table>

The instrument performs another purge to clear the sample chamber.
A second blank test is performed showing that the sample has been purged out. The reading on the blank test must be .003 or less.

A second air blank test is performed showing that the sample has been purged out. The reading on the air blank must be .003 or less.

The test results return to the display and the printout begins.

At the conclusion of the printout READY - PUSH RUN, the date and time return to the display.

During the printout READY - PUSH RUN, the date and time return to the display.
BAC DataMaster Standard

BAC DataMaster "K" Model

FACE THIS SIDE DOWN – THIS EDGE IN FIRST

FACE THIS SIDE DOWN – THIS EDGE IN FIRST

BAC DataMaster Evidence Ticket

BAC DataMaster Evidence Ticket

OHIO DEPARTMENT OF HEALTH
INSTRUMENT 200283

JUNE 27, 2002
SUBJECT'S NAME (L/F/M): DOE / JOHN / Q
SUBJECT'S SS#: 123-45-6789
OPERATOR NAME (L/F/M): FRIENDLY / U / R
ODH PERMIT #: 12345-S-6
ARRESTING AGENCY: O D H

_ _ _  BREATH ANALYSIS _ _ _

BLANK TEST .000 10:00
INTERNAL STANDARD VERIFIED 10:01
SUBJECT SAMPLE .158 10:01
BLANK TEST .000 10:02

ALCOHOL READINGS ARE EXPRESSED AS GRAMS OF ALCOHOL PER 210 LITERS OF BREATH

Start Observation Time ____________________________
Operator Signature _______________________________

BUREAU OF ALCOHOL AND DRUG TESTING
JUNE 27, 2002 SERIAL #: 130158
MODEL: cdm

SUBJECT'S NAME DOE / JOHN / Q

RESULTS EXPRESSED AS GRAMS OF ALCOHOL PER 210 LITERS OF BREATH

AIR BLANK .000 10:00
SUBJECT TEST .158 10:01
AIR BLANK .000 10:02

OPERATOR NAME FRIENDLY / U / R
PERMIT #: 12345-S-6

TIME FIRST OBSERVED: __________________

OPERATOR'S SIGNATURE
**INTERFERENCE**

**BAC DataMaster Standard**

**BAC DataMaster "K" Model**

**TEST RESULTS**

**INTERFERENCE**

If acetone or other interfering substance is detected in the sample, **INTERFERENCE** will be displayed. If interference is present, the instrument will separate and print the interference level below the subject sample on the printout. The alcohol level printed will be correct.

---

**INSUFFICIENT SAMPLE**

**BAC DataMaster Standard**

**BAC DataMaster "K" Model**

**SUBJECT REFUSE?** <Y/N>

If the two minute time limit for **PLEASE BLOW** is exceeded the refusal query will once again be displayed. You have an option at this point, you may proceed with a refusal by entering Yes. Instead of a result for the subject sample, the printout will say **SUBJECT SAMPLE REFUSED.** If you enter No, the printout will say **SUBJECT SAMPLE INCOMPLETE.** To proceed with testing, push the **RUN** button and perform the test sequence again.

---

**BAC DataMaster cdm**

**INTERFERENCE DETECTED**

If acetone or other interfering substance is detected in the sample, the test will abort with 2 short beeps. Push **RUN** to restart test.

---

**BAC DataMaster cdm**

**SUBJECT REFUSE?** <Y/N>

If the two minute time limit for **PLEASE BLOW** is exceeded the refusal query will once again be displayed. You have an option at this point, you may proceed with a refusal by entering Yes. Instead of a result for the subject sample, the printout will say **SUBJECT TEST REFUSED.** If you enter No, the printout will say **SUBJECT TEST INCOMPLETE SAMPLE.** To proceed with testing, push the **RUN** button and perform the test sequence again.
### BAC DataMaster Standard

**BAC DataMaster Evidence Ticket**

**JUNE 27, 2002**

<table>
<thead>
<tr>
<th>Subject's Name (L/F/M):</th>
<th>Doe / John / Q</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS#:</td>
<td>123-45-6789</td>
</tr>
<tr>
<td>Operator Name (L/F/M):</td>
<td>Friendly / U / R</td>
</tr>
<tr>
<td>ODH Permit #:</td>
<td>12345-S-6</td>
</tr>
</tbody>
</table>

**INTERFERENCE DETECTED** 10:01

**ALCOHOL READINGS ARE EXPRESSED AS GRAMS OF ALCOHOL PER 210 LITERS OF BREATH**

<table>
<thead>
<tr>
<th>Test Type</th>
<th>Value</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blank Test</td>
<td>.000</td>
<td>10:00</td>
</tr>
<tr>
<td>Internal Standard Verified</td>
<td>.000</td>
<td>10:01</td>
</tr>
<tr>
<td>Subject Sample</td>
<td>.158</td>
<td>10:01</td>
</tr>
<tr>
<td>Interfering Substance</td>
<td>.051</td>
<td>10:01</td>
</tr>
<tr>
<td>Blank Test</td>
<td>.000</td>
<td>10:02</td>
</tr>
</tbody>
</table>

Start Observation Time ____________________________

Operator Signature _______________________________

### BAC DataMaster cdm

**Bureau of Alcohol and Drug Testing**

**JUNE 27, 2002**

<table>
<thead>
<tr>
<th>Serial #:</th>
<th>130158</th>
</tr>
</thead>
<tbody>
<tr>
<td>Model:</td>
<td>cdm</td>
</tr>
</tbody>
</table>

**Subject's Name**

Doe / John / Q

**ODH Permit #:**

12345-S-6

**RESULTS EXPRESSED AS GRAMS OF ALCOHOL PER 210 LITERS OF BREATH**

**INTERRUPTION DETECTED** 10:01

**Operator Name**

Friendly / U / R

**PERMIT #:**

12345-S-6

**ALCOHOL READINGS ARE EXPRESSED AS GRAMS OF ALCOHOL PER 210 LITERS OF BREATH**

<table>
<thead>
<tr>
<th>Test Type</th>
<th>Value</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blank Test</td>
<td>.000</td>
<td>10:00</td>
</tr>
<tr>
<td>Subject Test INCOMPLETE Sample</td>
<td>.000</td>
<td>10:03</td>
</tr>
<tr>
<td>Air Blank</td>
<td>.000</td>
<td>10:04</td>
</tr>
</tbody>
</table>

Start Observation Time ____________________________

Operator Signature _______________________________

**Bureau of Alcohol and Drug Testing**

**JUNE 27, 2002**

<table>
<thead>
<tr>
<th>Serial #:</th>
<th>130158</th>
</tr>
</thead>
<tbody>
<tr>
<td>Model:</td>
<td>cdm</td>
</tr>
</tbody>
</table>

**Subject's Name**

Doe / John / Q

**ODH Permit #:**

12345-S-6

**RESULTS EXPRESSED AS GRAMS OF ALCOHOL PER 210 LITERS OF BREATH**

**INCOMPLETE** 10:03

**Operator Name**

Friendly / U / R

**PERMIT #:**

12345-S-6

**ALCOHOL READINGS ARE EXPRESSED AS GRAMS OF ALCOHOL PER 210 LITERS OF BREATH**

<table>
<thead>
<tr>
<th>Test Type</th>
<th>Value</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blank Test</td>
<td>.000</td>
<td>10:00</td>
</tr>
<tr>
<td>Subject Sample INCOMPLETE</td>
<td>.000</td>
<td>10:03</td>
</tr>
<tr>
<td>Air Blank</td>
<td>.000</td>
<td>10:04</td>
</tr>
</tbody>
</table>

Start Observation Time ____________________________

Operator Signature _______________________________
KEYBOARD NOTES

1. To complete responses press the RETURN key (ENTER/RETURN on newer keyboards.)

2. To correct a mistake prior to pressing RETURN, use the BACKSPACE key (← on newer keyboards) to erase one character at a time. To erase the entire answer press the CTRL and X keys simultaneously.

3. You may still make corrections after RETURN, by reviewing data. Either type directly over the incorrect response or press DELETE (DEL) to erase the current character. Newer keyboards have a TAB key, which allows you to move to the right on the display without disturbing the current characters.

4. The response line on the BAC DataMaster display has 24 characters, if a person's name contains more than 24 characters, you may keep typing. Only the last 24 characters will be displayed, however, all will be printed up to 40 characters.

5. Some of the data entries will be limited as far as number of characters or type of character that may be used. For example, the first 5 characters in the ODH Permit number must be numbers, the character between the hyphens must be a letter, and the character at the end must be a number. You must enter all 7 characters before the test sequence will proceed, and you must stop after all 7 have been entered.
THEORY OF OPERATION

1. The BAC DataMaster uses the method of \textit{infrared absorption} to analyze the breath sample.

2. The total optical path (IR light beam) is \textit{1.1 and 0.87 meters}.

3. The peak wavelength frequency is \textit{3.44 microns} for alcohol and \textit{3.37} microns for acetone or other interfering substances.

4. The decrease in intensity of the IR light due to absorption by alcohol in the breath sample is proportional to the amount of alcohol in the breath.

5. The sample chamber holds \textit{52.5 and 39.5 cc's} of deep lung air for the analysis.

6. The temperature of the sample chamber is at \textit{50 degrees Celsius}. Since human breath temperature is only 34 degrees Celsius, this will prevent condensation from forming on the lenses and mirrors inside the sample chamber.
INSTRUMENT STATUS SYSTEM

Four signs of a terminated test:

1. The test will abort
2. The audible signal is 2 beeps
3. The status message will be displayed
4. The status message will be printed

If a test is terminated, the test aborts, sounds two beeps, displays the status message and prints the status message. You may restart the test by pressing the RUN button.

The sequence will request a new printout ticket, and then query USE PREVIOUS DATA? By typing Yes, you will not have to re-enter the data. The DataMaster will then display the previous data for your review.

INSTRUMENT STATUS CODES

RADIO INTERFERENCE - Radio transmissions too close to instrument during testing
RFI DETECTED - Temperature below 45 degrees Celsius
TEMPERATURE LOW - Temperature above 55 degrees Celsius
TEMPERATURE HIGH - Instrument will not automatically zero itself
SYSTEM WON'T ZERO - Mechanical malfunction of the printer
PRINTER ERROR - Error in the circuitry
CRC ERROR AT . . . - Pump flow blocked or interrupted
PUMP ERROR - Blank tests do not agree with each other or exceed .003
INVALID SAMPLE - Internal standard check has failed
BLANK ERROR -
**BAC DataMaster Standard**

**BAC DataMaster "K" Model**

---

**FACE THIS SIDE DOWN - THISEDGE IN FIRST**

**BAC DataMaster**

**Evidence Ticket**

**OHIO DEPARTMENT OF HEALTH**

**INSTRUMENT 200283**

**JUNE 27, 2002**

**SUBJECT'S NAME** (L/F/M):

**DOE / JOHN / Q**

**SUBJECT'S SS#:** 123-45-6789

**OPERATOR NAME** (L/F/M):

**FRIENDLY / U / R**

**ODH PERMIT #:** 12345-S-6

**ARRESTING AGENCY:** ODH

---

**BLANK TEST**

**.000**

**10:00**

**INTERNAL STANDARD**

**VERIFIED**

**10:01**

**RADIO INTERFERENCE**

**ALCOHOL READINGS ARE EXPRESSED AS**

**GRAMS OF ALCOHOL PER 210 LITERS OF BREATH**

**Start Observation Time**

________________________

**Operator Signature**

________________________

---

**FACE THIS SIDE DOWN - THISEDGE IN FIRST**

**BAC DataMaster**

**Evidence Ticket**

**OHIO DEPARTMENT OF HEALTH**

**INSTRUMENT 200283**

**JUNE 27, 2002**

**SUBJECT'S NAME** (L/F/M):

**DOE / JOHN / Q**

**SUBJECT'S SS#:** 123-45-6789

**OPERATOR NAME** (L/F/M):

**FRIENDLY / U / R**

**ODH PERMIT #:** 12345-S-6

**ARRESTING AGENCY:** ODH

---

**BLANK TEST**

**.000**

**10:00**

**SUBJECT TEST**

**INVALID SAMPLE**

**10:01**

**AIR BLANK**

**.000**

**10:02**

**OPERATOR NAME**

**FRIENDLY / U / R**

**ODH PERMIT #:** 12345-S-6

---

**ALCOHOL READINGS ARE EXPRESSED AS**

**GRAMS OF ALCOHOL PER 210 LITERS OF BREATH**

**Start Observation Time**

________________________

**Operator Signature**

________________________
B.A.C. DATAMASTER OPERATOR REVIEW QUESTIONS

1) In the BAC DataMaster, what technique is used to analyze the breath sample?
   ________________________________________________________________.

2) At what wavelength frequency does alcohol absorb light?
   ________________________________________________________________.

3) What is the length of the optical path? _______________________________.

4) Can any other substance(s), besides alcohol be detected by the BAC DataMaster?
   ____________. If so, what substance(s) ________________________________.

5) What is the temperature of the sample chamber? ________________________.

6) How is condensation prevented in the sample hose? ________________________
   ________________________________________________________________.

7) What is the sample volume? ________________________________________.

8) How long must a subject be observed prior to testing? _____ _____________.

9) How do you initiate a testing sequence? ________________________________.

10) When responding to display prompts, how should you complete your answer?
    ________________________________________________________________.

11) Prior to completing a response, press ______  ____  _______ to correct an error.

12) After completing a response, is it possible to correct an error? ____________.
    How? _________________________________________________________.

13) How do you zero the display prior to taking the sample?
    ________________________________________________________________.

14) What is the accepted result for the blank test or air blank? ________________.

15) What function of each testing sequence demonstrates accuracy?
    ________________________________________________________________.
16) What audible signal is given to indicate that the instrument is ready for the subject sample? _________________. What is displayed? _________________.

17) How much time is allotted to collect the sample? _________________________.
   If a proper sample is not collected by this time, what will happen?
   ___________________________________________________________________

18) A subject blows into the instrument. When they stop “please blow” flashes on the display, what should you do? ___________________________
   ___________________________________________________________________

19) How is a terminated testing sequence indicated? ________________________
   ___________________________________________________________________

20) What will happen if an invalid sample is given? _________________________
   ___________________________________________________________________

21) What can cause an invalid sample? _________________________________

22) How can you tell if a complete sample has been given? _________________
   ___________________________________________________________________

23) What will happen if Acetone or other interfering substance is detected in the breath sample? _________________________________

24) What will happen if radio frequency interference (RFI) is detected during the testing sequence? _________________________________
   ___________________________________________________________________
BAC DATAMASTER
NOMENCLATURE QUESTIONS

____ SAMPLE HOSE
____ RFI ANTENNA
____ RUN BUTTON
____ PRINTOUT SLOT
____ READY LIGHT
____ DISPLAY
____ RESTRICTED ACCESS PANEL
(ONLY ON STANDARD MODEL)
____ KEYBOARD
BAC DATAMASTER
SENIOR OPERATOR SECTION

As a senior operator, you are responsible for the care, maintenance and instrument checks of the breath testing instrument. This section is designed to point out some of the highlights of your responsibilities, and should be used along with your instrument guide.

An instrument check is required every seven days, to demonstrate both the instrument's ability to detect RFI and the accuracy of your breath testing equipment. The maximum interval between instrument checks is 192 hours. Instrument checks shall be performed prior to putting a breath testing instrument into service, and after maintenance or repairs before the instrument is returned to service.

If a problem with the instrument check exists, there are four factors to consider each time a simulator test is run: the instrument check solution, the simulator, the operational technique, and the breath testing instrument. This section contains information on the simulator, the solution, and a checklist for the performance of instrument checks. If after checking these three factors, you still have a problem, refer to your instrument guide. If the instrument fails to abort the test due to RFI, the instrument should be serviced.

The BAC DataMaster is an automatic instrument, and leaves very little on which the defense may examine the operator. This may cause a more detailed examination of the instrument and its maintenance. To be prepared for this factory authorized maintenance is recommended.
BAC DataMaster Instrument Checklist

1. Press "RUN" button.
2. Enter data as prompted by instrument display.
3. When instrument displays "PLEASE BLOW", transmit using hand-held radio near instrument without touching it, until RFI detector aborts the test.
4. With the simulator at 34 degrees ± 2 degrees Celsius.
5. Connect "SIMULATOR OUTPUT" to the "VAPOR IN" connection and the "SIMULATOR INPUT" to the "PUMP OUT" or "PRESSURE OUT" connection.
6. Press "SUP" button.
7. Enter data as prompted by instrument display.

INSTRUMENT CHECK RESULT

0. ________ g/210L

PERMIT #
EXPIRATION DATE
INSTRUMENT SERIAL #
TEST I.D. #

SENIOR OPERATORS SIGNATURE
DEPARTMENT

Original: Filed At Instrument Site
RULE 3701-53-04 HEA 2651 REV 8/2002
## Instrument Checklist

<table>
<thead>
<tr>
<th>BAC DataMaster Standard</th>
<th>BAC DataMaster &quot;K&quot; Model</th>
<th>BAC DataMaster cdm</th>
</tr>
</thead>
</table>
| [ ] 1. Press "RUN" button.  
The **RUN** button will initiate the testing sequence. | [ ] 1. Press "RUN" button.  
The **RUN** button will initiate the testing sequence. |
| JUNE 27  
READY - PUSH RUN  
10:00 | |
| [ ] 2. Enter data as prompted by instrument display.  
A series of prompts will appear on the display which requires operator response as illustrated below. The bottom line of the display where the cursor flashes is where your response will appear as you enter it. | [ ] 2. Enter data as prompted by instrument display.  
A series of prompts will appear on the display which requires operator response as illustrated below. The bottom line of the display where the cursor flashes is where your response will appear as you enter it. |
| PASSWORD  
_ | |

Enter the senior operator level password.
<table>
<thead>
<tr>
<th>BAC DataMaster Standard</th>
<th>BAC DataMaster &quot;K&quot; Model</th>
<th>BAC DataMaster cdm</th>
</tr>
</thead>
<tbody>
<tr>
<td>INSERT TICKET</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Insert the <strong>printout ticket</strong> according to the instructions printed on the ticket.</td>
<td></td>
</tr>
<tr>
<td>SUBJECT’S NAME (L/F/M):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter INSTRUMENT / CHECK</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUBJECT SS#:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter TEST IDENTIFICATION number, or you may skip this entry by pressing RETURN.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUBJECT DOB:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>mm/dd/yy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEX:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter Male or Female.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BAC DataMaster Standard</td>
<td>BAC DataMaster &quot;K&quot; Model</td>
<td>BAC DataMaster cdm</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td><strong>ACCIDENT?</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>_</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter &quot;N&quot; for No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>OPERATOR NAME</strong></td>
<td><strong>OPERATOR'S NAME</strong></td>
<td></td>
</tr>
<tr>
<td>_ (L/F/M):</td>
<td>_ (L/F):</td>
<td></td>
</tr>
<tr>
<td>Enter your name.</td>
<td>Enter your name.</td>
<td></td>
</tr>
<tr>
<td>(LAST / FIRST / MIDDLE INT)</td>
<td>(LAST / FIRST)</td>
<td></td>
</tr>
<tr>
<td><strong>ODH PERMIT #:</strong></td>
<td><strong>PERMIT #:</strong></td>
<td></td>
</tr>
<tr>
<td>_ _ _ _</td>
<td>_ _ _ _</td>
<td></td>
</tr>
<tr>
<td>Enter your PERMIT NUMBER, the two dashes will automatically appear in the response line.</td>
<td>Enter your PERMIT NUMBER, the two dashes will automatically appear in the response line.</td>
<td></td>
</tr>
<tr>
<td><strong>ARRESTING AGENCY:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>_</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>REVIEW DATA?</strong></td>
<td><strong>REVIEW DATA?</strong></td>
<td></td>
</tr>
<tr>
<td>_ &lt;Y/N&gt;</td>
<td>_ &lt;Y/N&gt;</td>
<td></td>
</tr>
<tr>
<td>Pressing Yes will cause each of the previous responses to be displayed for correction.</td>
<td>Pressing Yes will cause each of the previous responses to be displayed for correction.</td>
<td>Pressing Yes will cause each of the previous responses to be displayed for correction.</td>
</tr>
<tr>
<td>BAC DataMaster Standard</td>
<td>BAC DataMaster &quot;K&quot; Model</td>
<td>BAC DataMaster cdm</td>
</tr>
<tr>
<td>-------------------------</td>
<td>--------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td><strong>PURGING</strong></td>
<td>.000</td>
<td><strong>PURGING</strong></td>
</tr>
<tr>
<td>Room/purge air is flushed through the sample chamber.</td>
<td>Room/purge air is flushed through the sample chamber.</td>
<td></td>
</tr>
<tr>
<td><strong>AMBIENT ZEROING</strong></td>
<td></td>
<td><strong>AMBIENT ZEROING</strong></td>
</tr>
<tr>
<td>The instrument <em>automatically</em> zeroes itself to ambient conditions.</td>
<td>The instrument <em>automatically</em> zeroes itself to ambient conditions.</td>
<td></td>
</tr>
<tr>
<td><strong>BLANK TEST</strong></td>
<td>.000</td>
<td><strong>AIR BLANK</strong></td>
</tr>
<tr>
<td>The instrument tests the room/purge air. The reading on the blank test must be <strong>.003 or less</strong>.</td>
<td>The instrument tests the room/purge air. The reading on the blank test must be <strong>.003 or less</strong>.</td>
<td></td>
</tr>
<tr>
<td><strong>INTERNAL STANDARD CHECK</strong></td>
<td></td>
<td><strong>INTERNAL STANDARD CHECK</strong></td>
</tr>
<tr>
<td>The instrument performs a check for accuracy, which is verified as part of each test.</td>
<td>The instrument performs a check for accuracy, which is verified as part of each test.</td>
<td></td>
</tr>
<tr>
<td>BAC DataMaster Standard</td>
<td>BAC DataMaster &quot;K&quot; Model</td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td>----------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>SUBJECT REFUSE?</strong></td>
<td><strong>SUBJECT REFUSE?</strong></td>
<td></td>
</tr>
<tr>
<td>Enter &quot;N&quot; for No.</td>
<td>Enter &quot;N&quot; for No.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>PLEASE BLOW</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>[  ] 3. When instrument displays PLEASE BLOW, transmit using hand-held radio near instrument without touching it, until RFI detector aborts the test.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>RADIO INTERFERENCE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The instrument will abort the test with 2 short beeps.</td>
</tr>
</tbody>
</table>

If the radio will not cause the RFI detector to abort the test, **the instrument must be serviced.**

| [  ] 4. With the simulator at 34 degrees ± 0.2 degrees Celsius. |
| Check the thermometer and/or indicator (heater) light for correct temperature. |
| Using a simulator operating below 33.8 degrees Celsius will result in low readings, above 34.2 degrees Celsius will result in high readings. |

<table>
<thead>
<tr>
<th><strong>RFI DETECTED</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The instrument will abort the test with 2 short beeps.</td>
</tr>
</tbody>
</table>

If the radio will not cause the RFI detector to abort the test, **the instrument must be serviced.**

<p>| [  ] 4. With the simulator at 34 degrees ± 0.2 degrees Celsius. |
| Check the thermometer and/or indicator (heater) light for correct temperature. |
| Using a simulator operating below 33.8 degrees Celsius will result in low readings, above 34.2 degrees Celsius will result in high readings. |</p>
<table>
<thead>
<tr>
<th>BAC DataMaster Standard</th>
<th>BAC DataMaster &quot;K&quot; Model</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Connect &quot;SIMULATOR OUTPUT&quot; to the &quot;VAPOR IN&quot; connection and the &quot;SIMULATOR INPUT&quot; to the &quot;PUMP OUT&quot; or &quot;PRESSURE OUT&quot; connection. Refer to your nomenclature sections for proper connections. <strong>Do not</strong> proceed without the proper connections, as this will cause simulator solution to be pumped into the DataMaster sample chamber.</td>
<td></td>
</tr>
<tr>
<td>6. Press &quot;SUP&quot; button. The <strong>SUP</strong> button will initiate the simulator test portion of the instrument check.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PASSWORD</th>
</tr>
</thead>
<tbody>
<tr>
<td>If you receive the password prompt, type in the <strong>SENIOR OPERATOR</strong> level password</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPERATOR'S NAME:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enter your name. <em>(LAST / FIRST / M)</em></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BAC DataMaster cdm</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Connect &quot;SIMULATOR OUTPUT&quot; to the &quot;VAPOR IN&quot; connection and the &quot;SIMULATOR INPUT&quot; to the &quot;PUMP OUT&quot; or &quot;PRESSURE OUT&quot; connection. Refer to your nomenclature sections for proper connections. <strong>Do not</strong> proceed without the proper connections, as this will cause simulator solution to be pumped into the DataMaster sample chamber.</td>
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<td>6. Press &quot;SUP&quot; button. The <strong>SUP</strong> button will initiate the simulator test portion of the instrument check.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. <strong>ENTER DATA AS PROMPTED BY INSTRUMENT DISPLAY.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Enter your name. <em>(LAST / FIRST / M)</em></td>
</tr>
<tr>
<td><strong>BAC DataMaster Standard</strong></td>
</tr>
<tr>
<td>-----------------------------</td>
</tr>
</tbody>
</table>

**ODH PERMIT #:**

- - -

Enter your **PERMIT NUMBER**, the two dashes will automatically appear in the response line.

**SOLUTION LOT #:**

- 

Enter the **LOT** or **BATCH** number for this instrument check solution.

(LOCATED ON ODH BATCH CERTIFICATE)

**DATE OF FIRST USE:**

mm/dd/yy

Enter the **DATE OF FIRST USE** for the instrument check solution.

(Instrument check solutions expire 3 MONTHS FROM DATE OF FIRST USE, or on the MANUFACTURER'S EXPIRATION DATE WHICHEVER COMES FIRST.)

**BOTTLE #:**

Enter the **BOTTLE** number for this instrument check solution.

(LOCATED ON SOLUTION BOTTLE)
<table>
<thead>
<tr>
<th>BAC DataMaster Standard</th>
<th>BAC DataMaster &quot;K&quot; Model</th>
<th>BAC DataMaster cdm</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPERATOR’S NAME:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(L/F)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter your name.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(LAST / FIRST)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PERMIT #:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>–</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enter your permit number</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The two dashes will automatically appear in the response line.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>REVIEW DATA?</strong></td>
<td>&lt;Y/N&gt;</td>
<td></td>
</tr>
<tr>
<td>–</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Press Yes or No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PURGING</strong></td>
<td>.000</td>
<td>.000</td>
</tr>
<tr>
<td>Room/purge air is flushed through the sample chamber.</td>
<td>Room/purge air is flushed through the sample chamber.</td>
<td></td>
</tr>
<tr>
<td><strong>AMBIENT ZEROING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The instrument <em>automatically</em> zeroes itself to ambient conditions.</td>
<td>The instrument <em>automatically</em> zeroes itself to ambient conditions.</td>
<td></td>
</tr>
<tr>
<td><strong>BAC DataMaster Standard</strong></td>
<td><strong>BAC DataMaster &quot;K&quot; Model</strong></td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>BLANK TEST</strong></td>
<td><strong>AIR BLANK</strong></td>
<td></td>
</tr>
<tr>
<td>.000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The instrument tests the room/purge air. The reading on the blank test must <strong>.003</strong> or less.</td>
<td>The instrument tests the room/purge air. The reading on the blank test must <strong>.003</strong> or less.</td>
<td></td>
</tr>
<tr>
<td><strong>INTERNAL STANDARD CHECK</strong></td>
<td><strong>INTERNAL STANDARD CHECK</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The instrument performs a check for accuracy, which is verified as part of each test.</td>
<td>The instrument performs a check for accuracy, which is verified as part of each test.</td>
<td></td>
</tr>
<tr>
<td><strong>EXTERNAL STANDARD</strong></td>
<td><strong>EXTERNAL STANDARD</strong></td>
<td></td>
</tr>
<tr>
<td>.100</td>
<td>.100</td>
<td></td>
</tr>
<tr>
<td>The instrument pump will force vapor from the simulator into the BAC DataMaster.</td>
<td>The instrument pump will force vapor from the simulator into the BAC DataMaster.</td>
<td></td>
</tr>
<tr>
<td><strong>TEST RESULTS</strong></td>
<td><strong>TEST RESULTS</strong></td>
<td></td>
</tr>
<tr>
<td><strong>ALCOHOL</strong></td>
<td><strong>ALCOHOL</strong></td>
<td></td>
</tr>
<tr>
<td>.100</td>
<td>.100</td>
<td></td>
</tr>
<tr>
<td>The instrument will display the instrument check results.</td>
<td>The instrument will display the instrument check results.</td>
<td></td>
</tr>
</tbody>
</table>
BAC DataMaster Standard
BAC DataMaster "K" Model

<table>
<thead>
<tr>
<th>Step</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>PURGING</td>
<td>.000</td>
</tr>
<tr>
<td>Room/purge air is flushed through the sample chamber.</td>
<td></td>
</tr>
<tr>
<td>BLANK TEST</td>
<td>.000</td>
</tr>
<tr>
<td>The instrument tests the room/purge air.</td>
<td>The reading on the blank test must be .003 or less.</td>
</tr>
<tr>
<td>INSERT TICKET</td>
<td></td>
</tr>
<tr>
<td>Insert the printout ticket according to the instructions printed on the ticket.</td>
<td></td>
</tr>
<tr>
<td>JUNE 27 READY - PUSH RUN</td>
<td>10:00</td>
</tr>
<tr>
<td>At the conclusion of the printout READY - PUSH RUN and the time and date will appear on the display.</td>
<td></td>
</tr>
</tbody>
</table>

BAC DataMaster cdm

<table>
<thead>
<tr>
<th>Step</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>PURGING</td>
<td>.000</td>
</tr>
<tr>
<td>Room/purge air is flushed through the sample chamber.</td>
<td></td>
</tr>
<tr>
<td>AMBIENT ZEROING</td>
<td></td>
</tr>
<tr>
<td>The instrument automatically zeroes itself to ambient conditions.</td>
<td></td>
</tr>
<tr>
<td>AIR BLANK</td>
<td>.000</td>
</tr>
<tr>
<td>The instrument tests the room/purge air.</td>
<td>The reading on the air blank must be .003 or less.</td>
</tr>
<tr>
<td>The printout begins.</td>
<td></td>
</tr>
<tr>
<td>JUNE 27 READY - PUSH RUN</td>
<td>10:00</td>
</tr>
<tr>
<td>During the printout READY - PUSH RUN and the time and date will appear on the display.</td>
<td></td>
</tr>
</tbody>
</table>
FACE THIS SIDE DOWN - THIS EDGE IN FIRST

BAC DataMaster Evidence Ticket

OHIO DEPARTMENT OF HEALTH
INSTRUMENT 200283

JUNE 27, 2002

SUBJECT'S NAME  (L/F/M):
INSTRUMENT / CHECK
SUBJECT'S SS#: 
OPERATOR NAME
FRIENDLY / Y / R
ODH PERMIT #: 123456-S-6
ARRESTING AGENCY: O D H

_ _ _ BREATH ANALYSIS _ _ _

BLANK TEST .000 10:00
INTERNAL STANDARD VERIFIED 10:01
RADIO INTERFERENCE

ALCOHOL READINGS ARE EXPRESSED AS
GRAMS OF ALCOHOL PER 210 LITERS OF BREATH

Start Observation Time________________________
Operator Signature___________________________

FACE THIS SIDE DOWN - THIS EDGE IN FIRST

BAC DataMaster Evidence Ticket

OHIO DEPARTMENT OF HEALTH
INSTRUMENT 200283

JUNE 27, 2002

OPERATOR NAME  (L/F/M):
FRIENDLY / U / R
ODH PERMIT #: 12345-S-6

SOLUTION LOT #: 02000
DATE OF FIRST USE: 06/27/02

_ _ _ SUPERVISOR MODE _ _ _

BLANK TEST .000 10:00
INTERNAL STANDARD VERIFIED 10:01
EXTERNAL STANDARD .100 10:02
BLANK TEST .000 10:03

ALCOHOL READINGS ARE EXPRESSED AS
GRAMS OF ALCOHOL PER 210 LITERS OF BREATH

Start Observation Time________________________
Operator Signature___________________________

BUREAU OF ALCOHOL AND DRUG TESTING
JUNE 27, 2002  SERIAL #: 130158
MODEL: cdm

OPERATOR'S SIGNATURE

BUREAU OF ALCOHOL AND DRUG TESTING
JUNE 27, 2002  SERIAL #: 130158
MODEL: cdm

INSTRUMENT CHECK

SOLUTION #: 02000
BOTTLE #: 100

RESULTS EXPRESSED AS GRAMS OF
ALCOHOL PER 210 LITERS OF BREATH

AIR BLANK .000 10:00
INSTRUMENT CHECK .100 10:01
AIR BLANK .000 10:02

SENIOR OPERATOR'S NAME
FRIENDLY / U / R
PERMIT #: 12345-S-6

SENIOR OPERATOR'S SIGNATURE

BUREAU OF ALCOHOL AND DRUG TESTING
JUNE 27, 2002  SERIAL #: 130158
MODEL: cdm

INSTRUMENT CHECK

SOLUTION #: 02000
BOTTLE #: 100

RESULTS EXPRESSED AS GRAMS OF
ALCOHOL PER 210 LITERS OF BREATH

AIR BLANK .000 10:00
INSTRUMENT CHECK .100 10:01
AIR BLANK .000 10:02

SENIOR OPERATOR'S NAME
FRIENDLY / U / R
PERMIT #: 12345-S-6

SENIOR OPERATOR'S SIGNATURE
SENIOR OPERATOR
CONTROL LOCATIONS

BAC DataMaster Standard
Restricted Access Panel

BAC DataMaster "K" Model and cdm with keyboard

SENIOR OPERATOR
CONTROL FUNCTIONS

BAC DataMaster Standard
BAC DataMaster "K" Model

SET cycles through the clock and calendar settings of day, month, date, year, hour and minute.
REQUIRES SENIOR OPERATOR LEVEL PASSWORD

ADVANCE is used after pressing SET to change the clock settings.

BAC DataMaster cdm

SET cycles through the clock and calendar settings of day, month, date, year, hour and minute.
NO PASSWORD REQUIRED

ADVANCE is used after pressing SET to change the clock settings.
NO PASSWORD REQUIRED
<table>
<thead>
<tr>
<th>BAC DataMaster Standard</th>
<th>BAC DataMaster cdm</th>
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</thead>
<tbody>
<tr>
<td><strong>F1</strong></td>
<td><strong>F1</strong></td>
</tr>
<tr>
<td><strong>FUNCTION 1</strong> cycles through the functions of reset options, print options, log off, remove from service and return to service. <strong>REQUIRES SENIOR OPERATOR LEVEL PASSWORD</strong></td>
<td><strong>FUNCTION 1</strong> cycles through the functions of reset options, purge sample chamber and password. <strong>NO PASSWORD REQUIRED</strong></td>
</tr>
<tr>
<td><strong>FUNCTION 2</strong> is used after pressing F1 to change option settings.</td>
<td><strong>FUNCTION 2</strong> is used after pressing F1 to change option settings. <strong>NO PASSWORD REQUIRED</strong></td>
</tr>
<tr>
<td><strong>SUP</strong></td>
<td><strong>SUP</strong></td>
</tr>
<tr>
<td><strong>SUPERVISOR</strong> is used to initiate the simulator test for the instrument check. <strong>REQUIRES SENIOR OPERATOR LEVEL PASSWORD</strong></td>
<td><strong>SUPERVISOR</strong> is used to initiate the simulator test for the instrument check. <strong>NO PASSWORD REQUIRED</strong></td>
</tr>
<tr>
<td><strong>TST</strong></td>
<td><strong>TST</strong></td>
</tr>
<tr>
<td><strong>TEST</strong> is used to initiate and print a diagnostic test, which checks the components for proper operation. <strong>REQUIRES SENIOR OPERATOR LEVEL PASSWORD</strong></td>
<td><strong>TEST</strong> is used to initiate and print a diagnostic test, which checks the components for proper operation. <strong>NO PASSWORD REQUIRED</strong></td>
</tr>
<tr>
<td><strong>MTR</strong></td>
<td><strong>MTR</strong></td>
</tr>
<tr>
<td><strong>MONITOR</strong> is used to display the “Detector Voltage” for service. <strong>REQUIRES SENIOR OPERATOR LEVEL PASSWORD</strong></td>
<td><strong>MONITOR</strong> is used to display the “Detector Voltage” for service. <strong>NO PASSWORD REQUIRED</strong></td>
</tr>
</tbody>
</table>
**BAC DataMaster Standard**

**BAC DataMaster "K" Model**

- **ABT**
  
  **ABORT** is used to terminate the current test.
  
  **REQUIRES SENIOR OPERATOR LEVEL PASSWORD**

- **CLR**
  
  **CLEAR** is used to clear the display from SET, F1, MTR and status code. The date, time, and “Ready Push - Run” will be returned to the display.
  
  **REQUIRES SENIOR OPERATOR LEVEL PASSWORD**

- **CPY**
  
  **COPY** will print the previous printout.
  
  **REQUIRES OPERATOR LEVEL PASSWORD**

---

**BAC DataMaster cdm**

- **ABT**
  
  **ABORT** is used to terminate the current test.
  
  **NO PASSWORD REQUIRED**

- **CLR**
  
  **CLEAR** is used to clear the display from SET, F1, MTR and status code. The date, time, and “Ready Push - Run” will be returned to the display.
  
  **NO PASSWORD REQUIRED**

- **CPY**
  
  **COPY** will print the previous printout.
  
  **NO PASSWORD REQUIRED**
1. The simulator was designed as a standard device (based on Henry's Law) used in conjunction with conventional breath testing systems. Two factors are critical in the simulator operation:
   - **The temperature must be within tolerance.**
     The operating temperature of the simulator is 34 degrees Celsius, which is the approximate temperature of the breath as it leaves the mouth. The allowed variance is ± .2 degrees Celsius.
   - **The pressure must be stable.**
     To check for a proper seal in the simulator, place your finger over the simulator output and blow into the simulator input. When sealed no bubbling will occur. **To correct leaks** replace the rubber “O” ring gasket inside the lid of the simulator, or replace hose connections that are loose.

2. The correct amount of solution is 500 milliliters in the simulator jar.

3. **Do not operate** a simulator without solution. This may damage the heating element when exposed to open air.

4. The simulator will take approximately 10 to 20 minutes to reach operating temperature. Allowing at least 30 additional minutes warm up time before using the simulator will help distribute heat evenly throughout the simulator.

5. Check the thermostat for a separated column of mercury, as a separation will throw the simulator temperature off.
   - **Simulator temperature too hot - high test results;**
   - **Simulator temperature too cold - low test results.**
     To correct a separated column of mercury, cool the thermometer or thermostat so the mercury collects in the reservoir at the bottom.

6. Make sure the output hose is free of condensation before attaching to the breath testing instrument. Keep simulator hoses as short as possible.

7. The instrument check solution must be refrigerated between instrument checks. If the solution is to be stored in its original container, after use, let the solution cool down to room temperature before removing the simulator top and pouring the solution back into its original container for refrigeration. **Retain the original container until the solution is discarded.** Thoroughly dry all parts of the simulator.

8. An instrument check solution expires **whichever comes first:**
   - Three months from the bottles date of first use, or;
   - The manufacturer's solution expiration date.
**B.A.C. DATAMASTER**
**SENIOR OPERATOR STUDY**
**REVIEW QUESTIONS**

1) How often must instrument checks take place on evidential breath testing instruments? ________________________________.

2) What is the maximum number of hours allowed between instrument checks? ________________________________.

3) An instrument check consists of two tests, what are they?  
   A ________________ detector check, and  
   a simulator test to demonstrate ________________________________.

4) A simulator is based on the principle of ______________ ______________.

5) How long is the instrument check solution good for? ________________________________.

6) How much solution should you use to perform the instrument check?  
   ________________________________

7) [ ] T  [ ] F  Solutions must be stored under refrigeration while not in use.

8) Which button do you press to initiate the simulator test portion of the instrument check procedure? ________________________________.

9) When must the simulator be hooked up to the DataMaster, before or after initiating the simulator test. ________________________________.

10) How much can the simulator test results vary from the target value for the instrument check solution? ________________________________.

11) What should you check if the simulator test results are not within tolerance?  
    ________________________________

12) What is the simulator operating temperature? ________________________________.
13) What would happen if the simulator was; too cool? ____________________________________________,
too hot? ____________________________________________.

14) What test is used to determine if the BAC DataMaster’s components are functioning properly? __________________________. How is it initiated? ____________________________________________.

15) Which button would you use to obtain the test results if you needed another printout? ____________________________________________.

16) What buttons are used to set the date and time? _______________ and ____________________________________________.