Title 7—MISSOURI DEPARTMENT OF TRANSPORTATION
Division 60—Highway Safety and Traffic Division
Chapter 2—Breath Alcohol Ignition Interlock Device Certification and Operational Requirements

PROPOSED AMENDMENT

7 CSR 60-2.030 Standards and Specifications. The Missouri Highways and Transportation Commission is amending subsections (1)(A)5., (1)(C)2., and (1)(D), and adding new subsections (1)(C)5. and (1)(D)4.B.

PURPOSE: This amendment permits the manufacturer, at its discretion, the adjustment of the breath volume requirement to as low as 1.2 liter on its device. The addition of aftermarket lighting installation in the cabin of the vehicle for hearing impaired has been added, and a requirement of a second follow up test after a positive breath sample has been added.

PUBLISHER’S NOTE: The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Device standards and specifications. To be certified, a breath alcohol ignition interlock device must—

(A) General—

5. Audibly or visually indicate when a 1.2 or 1.5 liter breath sample has been collected. The [division]manufacturer, at its discretion, may permit the adjustment of the breath volume requirement to as low as 1.2 liter], when provided documentation from a licensed physician verifying an applicable medical condition. The physician’s documentation will be submitted in a format approved by the division. Upon review, the division will notify the operator in writing of approval or denial of a lowered breath volume];

(C) Alcohol set point to start vehicle.

2. Permit a maximum of [three/two (3/2)] attempts to blow a breath sample below the alcohol set point within a ten- (10-) minute period.

5. When a breath sample provided is above the alcohol set point, the operator shall provide a second breath sample below the alcohol set point within ten (10) minutes, or it shall be reported as a violation by the manufacturer.

(D) Alcohol retest set point and running retest.

4. Activate the vehicle’s horn, or other installed alarm, until the operator shuts off the engine when a device calculates a breath sample at or above the alcohol retest set point of twenty-five thousandths (.025) or when a device records a failure to provide a running retest sample within five (5) minutes.

A. Any aftermarket alarm or siren installed in a vehicle by the Authorized Service Provider (ASP) will be installed inside the passenger compartment of the vehicle.

B. Aftermarket lighting may be installed within the vehicle by the ASP to notify hearing impaired drivers of a requested breath test.


PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.