Operation of the Intoxilyzer 8000

We will now discuss the actual operation of the Intoxilyzer 8000 to generate an Officer's Impaired Driving Affidavit. According to the Garriott's Medicolegal Aspects of Alcohol, Chap 7.4, the adoption of a per se law such as Oklahoma's 0.08 BrAC g/210L requires a way to test for the legal limit of alcohol content in a person's biological system. Continuing, Garriott's Medicolegal Aspects of Alcohol states, "Reliable results can be obtained from evidential breath testing instruments under properly controlled conditions that include proper training of operators, proper maintenance of equipment and rigorous adherence to appropriate testing protocols. Scientifically valid and forensically acceptable results can be obtained through instrument design with appropriate testing protocols."

The importance of adherence to the testing protocols cannot be underestimated. Luckily the Intoxilyzer 8000 is programmable, and the Board of Tests for Alcohol and Drug Influence has incorporated proper operating procedures and testing protocols into the instrument making it easier for an operator to comply with the administrative rules.

The officer must make the impaired driving arrest prior to administering a test using the Intoxilyzer 8000. When the officer arrives s/he will normally find the instrument in the Standby Mode. The instrument should not be shut off between uses. The instrument should remain on unless the operator has a very specific reason for shutting the Intoxilyzer off.

If the Intoxilyzer 8000 is off, the instrument has two on/off power switches located on the back of the instrument: one switch operates the main AC power and the second switch operates the on-board battery back-up system. To power the instrument ON, both the main AC power switch and the battery power switch must be in the ON (UP) position for the instrument to run on AC power. The instruments battery has been removed but the battery power switch must be on to operate the system.

On-Board Battery power switch

Main AC Power

Instrument Warm-Up Period

When initially powering the instrument from an unheated condition, the instrument will require approximately twenty (20) minutes to warm-up prior to displaying the **"Ready Mode"** message. During this time, the instrument cannot be used by the operator to perform a breath test sequence. The

operator will know that the instrument has completed the warm-up period and is ready to perform a breath test when the instrument display reads **"Ready Mode"**.

Preparing to Conduct a Test

One of the most important steps in the breath testing process is the "Deprivation Period". At arrest, the officer will check the mouth of the arrestee to ensure there are no loose foreign objects or porous material in the mouth. A Deprivation Period shall be conducted on all subjects prior to any breath test collection. The period of a deprivation is at least 15 minutes. The Intoxilyzer 8000 has a built-in countdown timer for conducting a deprivation period at the instrument. The subject is not allowed to vomit, eat, drink, smoke or take anything orally for at least fifteen (15) minutes prior to submitting the first breath sample and continuing through the second breath sample collection. This is to ensure there is no possibility of residual mouth alcohol or mouth contamination causing a result that does not reflect the subject's true blood alcohol concentration. The Intoxilyzer 8000 monitors the breath samples throughout the entire delivery and will automatically abort the testing sequence if any abnormalities are detected. The Intoxilyzers aborting of a test is a built-in safeguard and will be discussed later in this module. By observing the fifteen (15) minute deprivation period, however, the possibility of residual mouth alcohol contamination is eliminated. Remember, the deprivation period is required in all testing situations.

Instrument Start up

First make sure the device:
1) Breath Hose is warm to the touch;
2) Date and Time are correct on the display;
3) Mouth pieces are available; and
4) Printer has power and paper.

With the instrument in the **"Ready Mode"**, the operator should check the time and/or date to make sure these are correct If not push ESC, ESC then enters password ADCU. Touch the breath hose and make sure it is warm to the touch. Ensure the external printer is on and the printer has paper in the paper feeder.

Press the **"Start Test"** button

To initiate the test sequence the operator needs to push the green **"Start Test"** button. The instrument will acknowledge the request by displaying **"Please Scan ID or press enter"**

Scanning a Permit

When the instrument displays the **"Please Scan ID or Press Enter"** message, the operator may use the instrument's internal bar code scanner to read the bar code printed on an operator access card.
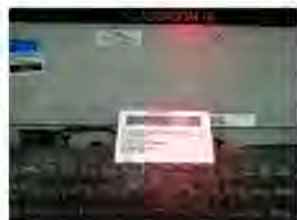

The card should be held perpendicular to the face of the instrument directly above the keyboard. The card should be kept as flat as possible and held still until the instrument reads the bar code printed on the card. The operator will have approximately thirty (30) seconds to complete the scanning process, or the instrument will default to manual entry and display the **"Officer Permit #"** message.

The instrument will acknowledge that a successful scan of the operator's card was completed by alerting the operator with an audible tone. After verifying the scan, pressing **"Enter"** will advance the instrument to display **"Enter PIN number"** message (see **Entering an Operator PIN**).

Entering Permit Data Manually

From the **"Please Scan ID or Press Enter"** message, the operator may choose to enter their operator permit information manually by pressing the "Enter" key on the instrument's keyboard. An operator may choose to do this if they have forgotten or lost their operator permit card, or in the event that the bar code printed on the operator permit card is unreadable by the instrument's bar code scanner. The instrument will acknowledge the operator's selection to manually enter permit information by proceeding to the **"Officer permit#"** message.
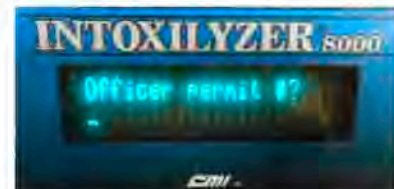
The operator should type in his or her operator permit number omitting all the zeros at the beginning of the number. As the operator enters information on the keyboard, the information will be displayed on the second line of the instrument's display. The operator must then confirm the permit information by pressing the **"Enter"** key on the instrument's keyboard. **IN ORDER TO START THE TESTING SEQUENCE, A VALID OPERATOR PERMIT NUMBER AND PIN COMBINATION MUST BE ENTERED. THE OPERATOR CANNOT CHOOSE TO SKIP THESE STEPS.** Following entry of the operator permit number, the instrument will proceed to the **"Enter PIN number:" the last 4 of your Social Security #** message. If no permit number is entered, the instrument will return to the **"Ready Mode"** message after approximately 60 seconds have elapsed. The instrument will abort the testing sequence if an invalid permit number and PIN combination are entered and a "**Verification Failed**" message will be announced.

The operator should type his or her name just as it is to be printed on the final Completed Impaired Driving Affidavit. As the operator enters information on the keyboard, the information will be displayed on the second line of the instrument's display. Generally, name information is entered Last Name, First Name, Middle Initial, Officer's Badge number, and Officer Agency (agency should be complete name of the agency). You may abbreviate Police Department, PD, or Sheriff's Office, SO, Etc. Information entered into the instrument will be printed on the affidavit in WYSIWYG (What You See Is What You Get) format. The operator must confirm the information entered by pressing the **"Enter"** key on the instrument's keyboard. The instrument will then proceed to the **"Please scan DL or press enter"** message.

Entering an Operator PIN

Upon successfully scanning an operator permit or the manual entry of a valid permit number and operator name, the instrument will proceed to the **"Enter PIN number"** message. The operator should enter his or her Personal Identification Number (PIN) and confirm the information by pressing the "Enter" key on the instrument's keyboard.

As the operator enters his or her PIN information on the keyboard, an asterisk ("*") character will be displayed on the second line of the instrument's display. The instrument will validate the information

provided by the operator and acknowledge that a valid PIN has been entered by proceeding to display **"Operator last name?"** message. If an operator does not enter his/her correct PIN, the instrument will abort the testing sequence and the operator will receive a tone with the message display reading **"Verification failed"**. The instrument will then go back to the **"Ready Mode"**.

When the Permit number and the PIN number are correct, the display will have the operator's information populated onto the form. The operator will then use the enter key to proceed through the prompts while checking the information. If the information is incorrect, the operator may type over the old information with new information which will be printed onto the affidavit.

Scanning a Driver's License

When the instrument displays the **"Please scan DL or press enter"** message, the operator may use the instrument's internal bar code scanner to read the bar code printed on a driver's license.

The card should be held perpendicular to the face of the instrument directly above the keyboard. The card should be kept as flat as possible and held still until the instrument reads the bar code printed on the card. The operator will have approximately thirty (30) seconds within which to complete the scanning process, or the instrument will default to manual entry and display the **"Subj last name?** message. The instrument will acknowledge that a successful scan of the subject's license was completed by alerting the operator with an audible tone. The instrument will then proceed to the **"Subj last name?"** message showing the subject's last name as printed on the driver license. The operator is then able to press enter to review the demographics of the driver license. After review of the demographic items is complete the instrument will display **"Review Data Y/N?"**.

Entering Driver's License Data Manually

From the **"Scan Subject License or Press Enter"** message, the operator may choose to enter license information manually by pressing the "Enter" key on the instrument's keyboard. An operator may choose to do this if the subject is unlicensed, has lost or misplaced their license, or if the bar code printed on the license is unreadable by the instrument's bar code scanner. The instrument will acknowledge the operator's selection to manually enter license information by proceeding to the **"Subj last name?"** message.

The operator should follow the prompts and type the name of the subject just as it will be printed on the completed affidavit. As the operator enters information on the keyboard, the information will be displayed on the second line of the instrument's display. Generally, name is entered in a uniform format (last name, first name, middle name or initial). In some instances, this format may not be appropriate, and the operator may choose to deviate away from this format. Information entered into the instrument will be printed on the affidavit in WYSIWYG (What You See Is What You Get) format. The operator must confirm the information entered by pressing the "Enter" key on the instrument's keyboard. The instrument will then proceed to the **"Date of birth?"** message.

The operator should type the Date of Birth (DOB) of the driver in mm/dd/yyyy format and confirm the information by pressing the "Enter" key on the instrument's keyboard. As the operator enters information on the keyboard, the information will be displayed on the second line of the instrument's display. *The DOB field is a required field, however, if the DOB is unknown, it need not be correct for the instrument to proceed through the testing sequence. Any DOB can be used (i.e., "01/01/1901".)*

The instrument will acknowledge the entry of the DOB information by proceeding to the **"Sex M/F?"** message. Enter the sex of the individual. The instrument will then proceed to **"Subj Address?"** Enter the subject's address, the subject city **"Subj City?"** then the subject's state of residence **"Subj State?"** and subject's zip code, **"Subj Zip?"**. Once these are entered, the instrument will prompt for the driver license number, **"Driver license #?"**. If a driver license number is not available or is unknown, this field may be left blank. The instrument will then ask for the issuing state, **"State of Issue?"**. When the operator completes a section such as the demographics, the instrument will give an opportunity to review the area and make changes, if necessary. The operator will see the display, **"Review data Y/N?"**. If "Y" is selected, the instrument will separately display the Subject Name, Subject DOB, etc.... The operator may edit the subject information, if necessary. After displaying each entry, the operator must accept the information by pressing the **"Enter"** key on the instrument's keyboard.

Conducting the Breath Test

Once the permit and license information has been entered and reviewed, the instrument will display **"Breath test Y/N?"**. The operator is now ready to begin a breath test collection sequence.

By the operator selecting **"N"** for no, the instrument skips over the breath testing sequence and the "Refusal Affidavit" is started. This Refusal Affidavit is discussed in another module of study.

By selecting "Y", the instrument will display, **"Arrest date?"**. The arrest date is automatically populated by the Intoxilyzers system memory. Therefore, the officer must check the date on the system. If the date is wrong in the Intoxilyzers memory system, then, the date will be wrong on the affidavit.

Once the arrest date is verified, the Intoxilyzer will display **"Arrest time?"**. The operator will enter the time of arrest using military 24-hour time. The breath test sequence must be completed within two (2) hours of the arrest time. If the arrest time that is entered is outside the two-hour window, a message will display indicating the time entered is outside the arrest window.

Once the Arrest Time is successfully entered the Intoxilyzer will display **"Deprivation Y/N?"**.

As discussed previously, the deprivation period is extremely important in the protocols of breath testing. Oklahoma Administrative Code (O.A.C) 40:30-1-3, "The subject's mouth shall be examined for presence of any loose material(s), or foreign substance(s), or any such substance(s) and this material or substances shall be removed. Metal, porcelain, or hard plastic items need not be removed." O.A.C. 40:30-1-3 continues to say, "Observation of the subject whose breath is to be tested sufficient to determine that, for a period of at least fifteen (15) minutes prior to the collection of the first breath specimen, and continuing through the second breath specimen, the subject shall not have ingested alcohol in any form or any other substance, vomited, or smoked. Such observation shall be carried out by the breath-alcohol analysis Operator or by any other qualified person."

The Intoxilyzer 8000 display is showing **"Deprivation Y/N?"** The operator will need to decide. If the **"Y"** is selected a countdown timer begins. The officer will conduct the deprivation observation at the Intoxilyzer. This method is preferred due to all the times matching on the affidavit and the operator's full attention is on watching the subject sufficient to determine nothing was placed in the subject's mouth,

vomited, or eaten. The countdown timer begins at 16 minutes to ensure that a full 15-minute deprivation is observed.

The other choice to answer, **"Deprivation Y/N?"** is with **"N".** Enter" N" and the Intoxilyzers display shows, **"Deprivation. Start Time"** The instrument wants the operator to enter the time which deprivation was started in military 24-hour time. This time must be a time after the entered arrest time but before the two-hour time of the test.

For example: the arrest is made at 2200 hours when asked for a deprivation start time, the time must be when the officer starts the deprivation time, but it must be after 2200 hours but before the current time.

If the operator enters a time that does not allow for a full 15-minute deprivation time, a countdown timer will be displayed showing the remaining minutes needed for a complete 15-minute deprivation. For example, the arrest is at 2200 hours, the current time is 2300 hours and 2250 hours is the time entered as deprivation start time. A countdown timer will be shown for the remaining six minutes of deprivation. Display will show, **"6:00".** And once the timer is complete the testing sequence will start.

You can restart the deprivation period or exit out of the clock by pressing F4 on the keyboard. You will return to the DEPRIVATION Y/N prompt, select "Y" if you want to restart or "N" if you need to bypass the deprivation timer and enter the deprivation period start and end times manually.

If the operator enters a time outside the arrest time entered or a time after the current time the display will show **"Invalid Time Entered"** and the operator will need to check the times entered. Or, as suggested entering **"Y"** and allow the instrument to complete the deprivation time.

As soon as a deprivation time has been entered and the 15 minutes is complete, the operator will begin the testing sequence. The testing sequence is in a very particular order. As stated before, "Scientifically valid and forensically acceptable results can be obtained through instrument design with appropriate testing protocols." Garriott's Medicolegal Aspects of Alcohol, Chap 7.4. The breath test in Oklahoma is a nine (9) step process. The following paragraphs will discuss these steps.

- Air Blank
- Breath Test
- Air Blank
- Wait (2 minutes wait time)
- Air Blank
- Breath Test
- Air Blank
- Control Test
- Air Blank

Air Blank

The instrument will initiate the testing sequence by performing an air blank. The instrument will display the **"Air Blank"** message and turn on the instrument's internal pump for approximately 20 seconds. The instrument will draw in room ("ambient") air to purge the sample chamber and breath path of any possible alcohol or other contaminants. If all the parameters are met, the instrument will proceed to the next step.

If there is an issue, the instrument will initiate a safeguard and abort the test. The instrument will display a message of **"Ambient Fail"** and print a message indicating the safeguard was triggered and return to the **"Ready Mode"**.

Breath Test #1

From the **"Air Blank"** message, the instrument will enter the breath testing period. The instrument will display the message **"Please blow until the tone stops /R"** across the instrument's display. At this time the operator takes command of the instrument. The instrument display will look like the figure below:

An important factor in collecting an acceptable breath sample is the instruction that is given to the test subject and if capable the subject should stand not sit to give breath sample. The following instruction is recommended:

I WANT YOU TO STAND, TAKE A DEEP BREATH AND BLOW INTO THE MOUTHPIECE WITH ONE LONG, CONTINUOUS BREATH. BLOW HARD ENOUGH TO START AND MAINTAIN THE AUDIBLE TONE. CONTINUE BLOWING UNTIL I TELL YOU TO STOP. DO YOU UNDERSTAND THESE INSTRUCTIONS?

With these instructions, the operator can control the length of time that the subject delivers the sample, assuring that the sample provided will be the best possible sample which includes the lower alveolar air. The operator is assured that a proper sample is being provided to the instrument when a continuous audible tone is heard, and the display will show **"Subject Test"** on the first line and **"Rslt: V:#.###"** on the second line.

If the subject has not provided an adequate sample and the tone stops, the display will go back to displaying **"Please blow until the tone stops /R"**. The operator should re-instruct the subject on how to

provide a proper sample and have him/her blow again. If the subject, through a willful act, still does not provide a proper sample, the operator may consider it to be a refused breath test. If, however, If the operator believes that the subject is physically unable to provide an acceptable sample, but the subject evacuated his/her lungs and the sample was the best the subject could give, the operator may ask the subject to submit to a Blood Test.

If the subject does not provide an adequate breath sample in the given three-minute time, the instrument will give a warbling tone and display **"Deficient Sample".** The instrument will then go into the **"Ready Mode".** A **"Deficient Sample"** message will be printed. The message will show the results of the breath that was given.

The instrument allows three (3) minutes for a test subject to submit an acceptable breath sample. The instrument will terminate the breath sampling phase before the end of the three-minute period if any of the following conditions are met:

1. The subject submits an acceptable sample.
2. The subject refuses the test, and the operator pushes the "Start Test" button or the "R" key on the instrument keyboard to indicate to the instrument the operator's request that the instrument document the refusal. The instrument will emit an alternating audible warning tone and display the message **"Subject Test Refused".**
3. An exception/safeguard to the testing sequence was detected by the instrument such as **"*Sample Rejected"** or **"*Interferent detected".**

If the three-minute breath request period lapses without the subject providing an adequate breath sample, the instrument will indicate one of two messages:

1. **"No Sample Given"** – The person did not blow with sufficient force to activate the audible tone during the three-minute request period. The instrument will display the **"No Sample Given"** message accompanied by a low/high alternating tone sounding intermittently for approximately five seconds. If the operator allows the three-minute request period to time out, and no sample was given, the operator should not treat this as a refusal. Instead, the test should be restarted to allow the subject additional time to either submit to the test or refuse to take the test. The operator should retain the Test Report from this test.
2. **"Deficient Sample"** -- The person blew with sufficient force to activate the audible tone at least once during the three-minute request period, but the sample did not meet the minimum requirements of an adequate breath sample. The operator must decide at this point whether the subject has, through some willful act, refused to comply with instructions to provide an acceptable breath sample. If the operator deems the subject has tried to complete a test and is not capable of providing an appropriate breath sample, the operator may ask the subject to complete a blood test. If the operator can articulate the subject would not comply with the directions, then a refusal affidavit may be completed. If, however, the operator has determined that the subject CAN provide a sample, the operator can choose to restart the testing sequence and reinstruct the subject on how to provide a proper sample. If the subject does not provide a sufficient sample for a second sequence, a refusal may be articulated. The operator now has two **"Deficient Sample"** messages which should be turned in with all documentation.

Once the breath sample is successfully given an Air Blank will start.

Air Blank

After the breath sampling period is complete, the instrument will perform another **"Air Blank"**. The instrument will display the **"Air Blank"** message and turn on the instrument's internal purge pump for approximately 20 seconds. This will purge the instrument's sample chamber and once again check the operational environment for possible contaminants.

After the Air Blank is complete and the instrument has determined the testing chamber is free of possible contaminants the Wait Period begins.

Wait Period

After successfully providing the breath sample, the operator should continue observing the subject to ensure that the subject does not vomit, regurgitate, eat, drink, smoke, chew or take anything orally for an additional period of approximately 2 minutes. This is to continue to ensure that there is no possibility of residual alcohol or mouth contamination causing a result that does not reflect the subject's true blood alcohol concentration. The Intoxilyzer monitors the breath sample throughout the entire delivery and will automatically abort the test if any abnormalities are detected. By vigilantly continuing the observation period, however, the possibility of residual mouth alcohol contamination is eliminated. The instrument will display the following message and a count-down timer to indicate to the operator the remaining time in the observation period:

Note: The instrument will start the countdown for the two (2) minute observation period at approximately one (1) minute and thirty-two (32) seconds (01:32 remaining). This is because the two (2) minute observation period begins following the completion of the previous breath sample and concludes at the beginning of the second breath sampling period. Therefore, the duration of approximately 20 seconds utilized during the "Air Blank" performed immediately following the completion of the breath sampling period, and the approximate 20 seconds included in the "Air Blank" preceding the second breath sampling period, are attributed to the total time for the two (2) minute observation period.

The Continued Observation Period will be considered incomplete if:

1. The operator has reason to believe that the subject has taken something by mouth (drinking, smoking, eating, taking medication, etc.), vomited, or regurgitated liquid from the stomach into mouth; or
2. The subject, through some willful act, refuses the breath test; or
3. The operator or the instrument aborts the testing sequence.

Air Blank

After the Wait period is complete, the instrument will perform another **"Air Blank"**. The instrument will display the **"Air Blank"** message and turn on the instrument's internal purge pump for approximately 20 seconds. This will purge the instrument's sample chamber and once again check the operational environment for possible contaminants.

Again, if no contaminants are detected and all parameters are me the instrument will proceed to the next step.

Breath Test #2

From the **"Air Blank"** message, the instrument will enter the breath testing period. The instrument will display the message **"Please blow until the tone stops /R"** across the instrument's display. At this time the operator takes command of the instrument. The instrument display will look similar to the figure below:

An important factor in collecting an acceptable breath sample is the instruction that is given to the test subject and if capable the subject should stand not sit to give breath sample. The following instruction is recommended:

I WANT YOU TO STAND, TAKE A DEEP BREATH AND BLOW INTO THE MOUTHPIECE WITH ONE LONG, CONTINUOUS BREATH. BLOW HARD ENOUGH TO START AND MAINTAIN THE AUDIBLE TONE. CONTINUE BLOWING UNTIL I TELL YOU TO STOP. DO YOU UNDERSTAND THESE INSTRUCTIONS?

With these instructions, the operator can control the length of time that the subject delivers the sample, assuring that the sample provided will be the best possible sample which includes the lower alveolar air. The operator is assured that a proper sample is being provided to the instrument when a continuous audible tone is heard and the display will show **"Subject Test"** on the first line and **"Rslt: V:#.###"** on the second line.

If the subject has not provided an adequate sample and the tone stops, the display will go back to displaying **"Please blow until the tone stops /R"**. The operator should re-instruct the subject on how to provide a proper sample and have him/her blow again. If the subject, through a willful act, still does not provide a proper sample, the operator may consider it to be a refused breath test. If, however, the operator believes that the subject is physically unable to provide an acceptable sample, but the subject evacuated his/her lungs and the sample was the best the subject could give, the operator may ask the subject to submit to a Blood Test.

If the subject does not provide an adequate breath sample in the given three-minute time, the instrument will give a warbling tone and display **"Deficient Sample"**.   The instrument will then go into the **"Ready**

Mode". A **"Deficient Sample"** message will be printed. The message will show the results of the breath that was given.

The instrument allows three (3) minutes for a test subject to submit an acceptable breath sample. The instrument will terminate the breath sampling phase before the end of the three-minute period if any of the following conditions are met:

4. The subject submits an acceptable sample.
5. The subject refuses the test, and the operator pushes the "Start Test" button or the "R" key on the instrument keyboard to indicate to the instrument the operator's request that the instrument document the refusal. The instrument will emit an alternating audible warning tone and display the message **"Subject Test Refused"**.
6. An exception/safeguard to the testing sequence was detected by the instrument such as **"*Sample Rejected"** or **"*Interferent detected"**.

If the three-minute breath request period lapses without the subject providing an adequate breath sample, the instrument will indicate one of two messages:

3. **"No Sample Given"** – The person did not blow with sufficient force to activate the audible tone during the three-minute request period. The instrument will display the **"No Sample Given"** message accompanied by a low/high alternating tone sounding intermittently for approximately five seconds. If the operator allows the three-minute request period to time out, and no sample was given, the operator should not treat this as a refusal. Instead, the test should be restarted to allow the subject additional time to either submit to the test or refuse to take the test. The operator should retain the Test Report from this test.
4. **"Deficient Sample"** -- The person blew with sufficient force to activate the audible tone at least once during the three-minute request period, but the sample did not meet the minimum requirements of an adequate breath sample. The operator must decide at this point whether the subject has, through some willful act, refused to comply with instructions to provide an acceptable breath sample. If the operator deems the subject has tried to complete a test and is not capable of providing an appropriate breath sample, the operator may ask the subject to complete a blood test. If the operator can articulate the subject would not comply with the directions, then a refusal affidavit may be completed. If, however, the operator has determined that the subject CAN provide a sample, the operator can choose to restart the testing sequence and reinstruct the subject on how to provide a proper sample. If the subject does not provide a sufficient sample for a second sequence, a refusal may be articulated. The operator now has two **"Deficient Sample"** messages which should be turned in with all documentation.

Once the breath sample is successfully given and within + /- 0.03 difference between sample #1 and Sample #2 an Air Blank will start.

Air Blank

After the second breath testing period is complete, the instrument will perform another **"Air Blank"**. The instrument will display the **"Air Blank"** message and turn on the instrument's internal purge pump

for approximately 20 seconds. This will purge the instrument's sample chamber and once again check the operational environment for possible contaminants.

After the Air Blank is complete and the instrument has determined the testing chamber is free of possible contaminants the instrument will continue to the Control Check.

Control Test

At the successful analysis of both breath samples, the instrument will automatically perform a control test using an approved external ethanol Dry Gas breath standard. The instrument will make several "clicking" and "hissing" noises as the gas supply is initiated and terminated. The instrument will analyze a sample from the attached ethanol dry gas standard and evaluate the accuracy of the instrument. The result of the analysis will be reported on the affidavit. If the acceptable range is out of tolerance plus or minus (+/-)0.01 BAC, the instrument will abort the test and display a message of **"Calibration Check Out of Tolerance"** on the display and print a safeguard message. The instrument will be disabled, and a new test will have to be given on a different instrument, if available, or the operator will need to request to have the subject submit to a blood test.

The external ethanol breath standard is a 0.08 BAC equivalent dry gas standard. When the Control Test/Check is being conducted the CMI Intoxilyzer 8000 anticipates a 0.08 BAC measurement. The control check must be within plus or minus (+/-)0.01 BAC to be considered within tolerance.

Air Blank

After the Control Check, the instrument will perform another **"Air Blank"**. The instrument will display the **"Air Blank"** message and turn on the instrument's internal purge pump for approximately 20 seconds. This will purge the instrument's sample chamber and once again check the operational environment for possible contaminants.

After the last air blank, the nine (9) step sequence is complete. The rest of the prompts will be the affidavit data entry process. Each of the following prompts will be information required to complete the paperwork associated with the affidavit process.

Affidavit Prompts

After the last air blank is complete, the instrument will display the prompts to complete the affidavit by asking the operator for necessary information.

County Number

The first prompt is for the County number, **"County number?01"**. The operator may use the up and down arrow keys on the bottom right-hand corner of the keyboard to scroll through the 77 counties of Oklahoma. The operator may, if known, enter the county number directly from the keyboard and then press enter.

City Number

After entering your county number, the next prompt is for a **"City number"** This number is used if the Officer/Deputy or Trooper is required by their jurisdiction to enter a city number. This is not a mandatory field and may be left blank.
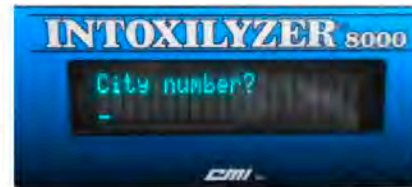
Citation Number

The Intoxilyzer 8000 will prompt the operator for a citation number, **"Citation #?"** This prompt is for the jurisdictions that require a citation number on their affidavits. Not all jurisdictions require this, and it may be left blank unless required by policy.
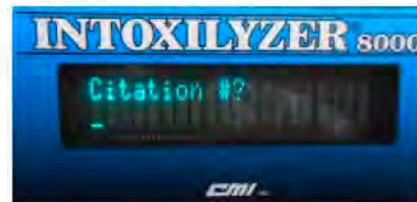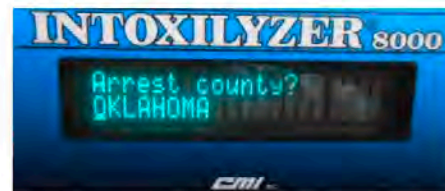
Arrest City

The next prompt will be **"Arrest city?"** This is asking which city/town the arrest was made. If the area is unincorporated the field may be left blank.

Arrest County

The next prompt will be **"Arrest County?"** This prompt is asking for the county that the arrest was made in. Once the operator enters the arrest county, then press enter.

Arrest Location

The next prompt is **"Arrest Location?"** This prompt is asking for the location of the arrest. This should give a direct or discoverable location. Use a crossroad such as "I-40 and HWY 81" or a specific address "4221 NW 10th St." Be as specific as possible.

Subject's height and weight

The next prompts are specific to the individual, **"Subj height?"** input as three digits with no space or hyphen. For example, five foot eleven inches would be typed in as **"511"**. The subject's weight **"Subj**

weight?" input as three digits with no spaces or hyphens. For example, 210 pounds is typed in as **"210"**. The subject's height and weight are normally populated from the driver license if scanned.

The driver's license expiration date is required. The instrument will prompt for the **"DL Expiration?"**. If the Intoxilyzer Operator scanned the driver license, this will be populated or entered for them from the scan. If the operator is manually entering the driver's information, you must key in a date. Normally, if the person does not have a driver's license the operator will input a past date such as 01/01/1999.

The next prompt is **"DL Class?"**. This prompt is asking for the driver's license class. This is a populated field if the driver's license is scanned. If the driver's information is manually input, the operator will have to obtain this information from the driver's license return. This field is not one that requires an input to continue with the affidavit process. The typical classes in Oklahoma are "A", "B", "C", and "D".
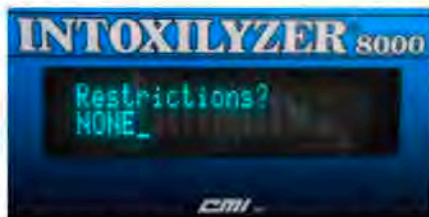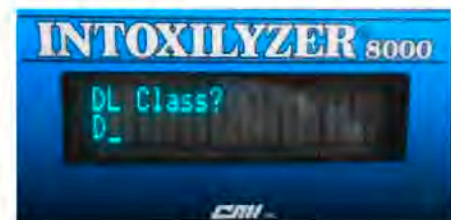
After entering a driver's license class, the instrument will prompt **"Restrictions?"**. A restriction refers to conditions that affect the driver's safety. Restrictions are on the back of the license and may include, "1" corrective lenses, "2" Left outside rear vision mirror, "3" Restriction #1 and/or #2, "4" Automatic transmission... This field will allow the operator to move forward just by pressing enter. If the driver's license was scanned it will populate this field, please look at the drivers license or the return and enter what the restrictions are for this license. The entry can be blank.

The prompt for listing the driver's license endorsements is prompted **"Endorsements?"**. If the driver's license was scanned it will not populate this field, please look at the driver's license or the return and enter what the endorsements are held by the license holder. An endorsement usually means the driver is qualified to use a certain type of vehicle, such as a motorcycle or a truck carrying hazardous materials.

The next prompt is asking if the vehicle involved is a commercial motor vehicle (CMV). The prompt **"CMV (Y/N)?"** will be displayed. As the operator ask yourself, "Did the vehicle have a DOT number?" does the vehicle meet the Federal Motor Carrier Safety Administration's definition of a Commercial Motor Vehicle? The Federal Motor Carrier Safety Administrations defines a CMV as:


*"**Commercial motor vehicle** means any self-propelled or towed motor vehicle used on a highway in interstate/intrastate commerce to transport passengers or property when the vehicle:*

(1) **Interstate** CMV classification is 10,001 pounds or greater and a DOT number.

(2) **Intrastate** CMV classification is 26,001 pounds or greater; or

(2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or

(3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation: or

(4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C."

This is a mandatory field and a yes or no answer is required.

The next field is also mandatory, and an answer is required. The display will show, **"Hazmat Placard (Y/N)"**. An answer must be placed. If the vehicle that was stopped has Hazmat Placards installed, then the operator would answer "Y" or yes to this question. If no Placards are installed the operator will answer "N" and press enter to go to the next prompt.
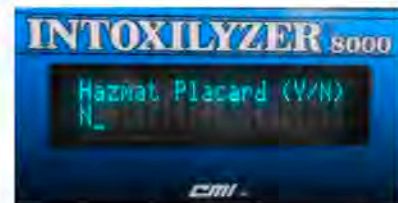
There are many types of Hazmat Placards, the following are just a few.

Nine Classes of Hazardous Materials

Class 1: Explosives
Divisions: 1.1, 1.2, 1.3, 1.4, 1.5, 1.6

Class 2: Gases
Divisions: 2.1, 2.2, 2.3

Class 3: Flammable Liquid and Combustible Liquid

Class 4: Flammable Solid, Spontaneously Combustible, and Dangerous When Wet
Divisions 4.1, 4.2, 4.3

Class 5: Oxidizer and Organic Peroxide
Divisions 5.1, 5.2

Class 6: Poison (Toxic) and Poison Inhalation Hazard

Class 7: Radioactive

Class 8: Corrosive

Class 9: Miscellaneous

Dangerous

Revised 06/05

Federal Motor Carrier Safety Administration

U.S. Department of Transportation
www.fmcsa.dot.gov

For further information on Hazmat and placard requirements please visit the Department of Transportation's website. http://www.fmcsa.dot.gov.

The following four prompts are about the vehicle that was stopped. The affidavit will prompt for the Make, Model, Vehicle tag number and the State of issue. The operator will be prompted for each one separately. All four of the prompts are mandatory and must be populated.

"Vehicle make?" prompt is asking for the make of the vehicle. Enter the common name for the make of the vehicle, such as, Ford, Chevrolet, Toyota, etc… The field will accept any characters entered.

"Vehicle model?" prompt is asking for the vehicle model.

"Vehicle tag #?" prompt is asking for the tag number associated with that vehicle. If the vehicle has a Tribal tag or paper tag enter what is known.

"State of issue?" prompt is asking for the State which the vehicles tag was issued. This field will only hold two characters so use the appropriate abbreviation for the State of issue.
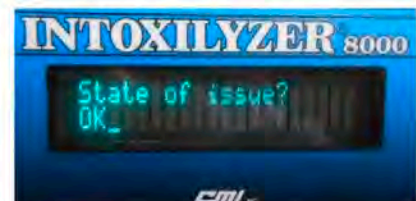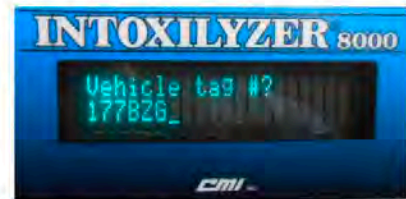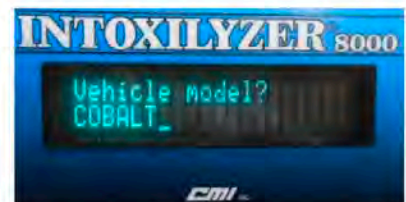
When the instrument displays **"Reasonable Grounds?"** the operator will type in the reasonable grounds used for stopping the vehicle. The section allows a 211-character length response. The operator should enter as much about the stop as possible, to include any grounds that will give indications of impaired driving. A good question for the operator to answer for this section is "What's the probable cause for the traffic stop?"

Once the reasonable grounds are keyed, the operator will press the "Enter" key and the next prompt will be **"Subject condition?"**. This prompt is asking for the condition of the subject. This section allows 211 characters in length and should be used to list the subject's condition. If the operator is SFST (Standardized Field Sobriety Test) qualified and uses the SFST as part of the subjects' condition, the number of clues could be listed, i.e., 6 clues HGN, 3 clues WAT and 3 clues OLS.

"Review data Y/N" prompt appears. If the operator selects "Y" or yes at this prompt the instrument will go back to the **"County number?01"** prompt and as the operator you may now scroll through all the entries making changes if needed. The operator needs to understand that scrolling to either **"Reasonable Grounds?"** or **"Subject condition?"** and using the cursor, the operator may advance through the keyed data. If a change is made then be aware that at the cursor, pressing any key, will clear any characters immediately following the cursor and cannot be recovered.

At the **"Review data Y/N"** prompt, if **"N"** or No is selected the next prompt will be **"Witness Name?"**. If the arresting officer has witnesses to the stop, SFST, or arrest, the witnesses' information should be entered. If there is no witness this may be left blank.

At the end of these prompts the operator is asked **"Review data"**, if **"N"** or no is selected then the instrument will begin printing the Officer's Impaired Driving Affidavit. The instrument will print two affidavits. The affidavit will populate the lowest breath sample analyses between breath sample one and breath sample two, truncated to a two-digit decimal. The state's test result is located below the state seal on the Officer's Impaired Driving Affidavit, reported in BrAC g/210L. One copy is for Service Oklahoma and the other copy is for the arrestee. If you are not sure which one goes where, reference the center bottom of the Officer's Impaired Driving Affidavit page and it is clearly identified. If for some reason more copies are needed there is minimal time but F1 used for reprint.

Service Oklahoma (S/OK) can receive the Officer's Affidavit electronically and via U.S. Mail. S/OK will accept electronically submitted, legible, affidavits in PDF format that are sent to sokduiaffidavits@service.ok.gov . Each affidavit must be attached to a separate email.

Affidavits may also be submitted via U.S. Mail to
Service Oklahoma
Records Division
P.O. Box 11415
Oklahoma City, OK 73136-0415

OFFICER'S IMPAIRED DRIVING

AFFIDAVIT

Section 1

ARREST DATE	ARREST TIME	COUNTY #	CITY #		CITATION #	
02/05/2023	1809	45			▮	

ARREST LOCATION		CITY		COUNTY	
S LYNN N/MADISON ST		IDABEL		McCURTAIN	

SUBJECT NAME		DATE OF BIRTH	SEX	HEIGHT	WEIGHT
▮			M	507	150

ADDRESS	CITY	STATE	ZIP CODE
▮	IDABEL	OK	74745

DRIVER LICENSE #	EXPIRATION DATE	STATE	CLASS	RESTRICTIONS	ENDORSEMENTS
NONE	12/30/2023		NONE		

VEHICLE MAKE	MODEL	TAG #	STATE	CMV	PLACARD
HYUNDAI	TIBURON		OK	N	N

On the above date, time and location, the above named person was arrested, and I had reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle upon a public road, highway, street, turnpike, public parking lot, or other public place, or upon a private road, street, alley or lane which provides access to one or more single or multi-family dwelling within this state while under the influence of alcohol and/or other intoxicating substances as prohibited by law
(Describe driving behavior or circumstances)

VEHICLE DISPLAYED A CRACKED WINDSHIELD

Describe person's condition (odor, actions, etc):

SUBJECT EXHIBITED RED, WATERY BLOODSHOT EYES AND THE ODOR OF AN ALCHOLIC BEVERAGE WREAKED FROM HIS BREATH, UNSTEADY ON HIS FEET

THE PERSON WAS INFORMED OF THE IMPLIED CONSENT TEST REQUEST

BREATH-ALCOHOL ANALYSIS RECORD, REPORT OF THE PERSON NAMED IN SECTION 1 ABOVE, and LOG OF TEST AND MAINTENANCE RECORD

Section 2

EQUIPMENT	SERIAL NUMBER	SPECIALIST
I-8000	80-004925	BOARD OF TESTS

STANDARD	TARGET VALUE	PERMIT NUMBER
Dry	0.080	23020

MANUFACTURER	LOT #	DATE CYLINDER INSTALLED	DATE CYLINDER EXPIRES
ILMO	11821080A2	08/09/2021	06/05/2023

OBSERVATION START	TEST DATE
1818	02/05/2023

RESULT TABLE

Test	g/210L	Time
Air Blank	0.00	18:37
Subject Test	0.10	18:37
Breath Volume	1.406 LITERS	
Air Blank	0.00	18:38
Wait		18:40
Air Blank	0.00	18:40
Subject Test	0.09	18:41
Breath Volume	1.343 LITERS	
Air Blank	0.00	18:41
Cal Check	0.07	18:42
Air Blank	0.00	18:42

A 15-minute (or greater) deprivation observation period was observed prior to and continuing to the time of test administration

I administered said Breath-Alcohol Test in compliance with the applicable operating procedure of the Board of Tests.

SIGNATURE OF OPERATOR

NAME
▮

BADGE #	PERMIT #
▮	▮

AGENCY
▮

Test Result
BrAC g/210L
0.09

Section 3

What happens next?

1. The Arresting Officer is required to submit the Officer's Impaired Driving Affidavit to the State of Oklahoma.
2. Upon receipt and review of the Officer's Impaired Driving Affidavit and any associated test results, if applicable, the State of Oklahoma may revoke your Oklahoma driving privileges. If you hold a commercial driver license or were driving a commercial motor vehicle, the State of Oklahoma may disqualify your privilege to operate a commercial motor vehicle. You will continue to have driving privileges, if otherwise eligible, unless or until an Order of Revocation and/or Disqualification is issued by the State of Oklahoma.
3. The State of Oklahoma will send you the Order of Revocation and/or Disqualification to the address you have on file with Service Oklahoma. To confirm or change your address on file, contact Service Oklahoma.
4. The Revocation and/or Disqualification will be effective 55 days from the date of the Order, including 10 days allowed for mailing. 47 O.S. §§2-116, 753, 754.
5. The Order of Revocation and/or Disqualification will contain important information about your rights to appeal the revocation and/or disqualification of your driving privileges. To appeal the applicable Order of Revocation and/or Disqualification your petition must be filed with the District Court of the County in which you were arrested within 40 days of the date of the order, including 10 days allowed for mailing. 47 O.S. §§2-116, 6-211.

In accordance with Title 12 O.S. Section 426, "I state under **penalty of perjury** under the laws of Oklahoma that the foregoing is true and correct." Section 4

Date: _____ Place (location when signed): _____ Signature of arresting officer: _____

NAME		AGENCY	
▮		▮	

BADGE	AGENCY ADDRESS	ZIP CODE	PHONE
▮		74701	▮

OTHER WITNESSES: Section 5

	NAME	TITLE	ADDRESS	PHONE
1				
2	NAME	TITLE	ADDRESS	PHONE

OFFICER'S IMPAIRED DRIVING

AFFIDAVIT

ARREST DATE	ARREST TIME	COUNTY #	CITY #		CITATION #	
02/05/2023	2132	72	20			

ARREST LOCATION		CITY		COUNTY		
855 W 137TH PL		GLENPOOL		TULSA		

SUBJECT NAME		DATE OF BIRTH		SEX	HEIGHT	WEIGHT
▓▓▓▓				M	507	208

ADDRESS	CITY		STATE		ZIP CODE	
▓▓▓▓	GLENPOOL		OK		74003	

DRIVER LICENSE #		EXPIRATION DATE	STATE	CLASS	RESTRICTIONS	ENDORSEMENTS
▓▓▓▓		04/30/2024	OK	D		

VEHICLE MAKE	MODEL		TAG #	STATE	CMV	PLACARD
TOYOTA	TUNDRA			OK	N	N

On the above date, time and location, the above named person was arrested, and I had reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle upon a public road, highway, street, turnpike, public parking lot, or other public place, or upon a private road, street, alley or lane which provides access to one or more single or multi-family dwelling within this state while under the influence of alcohol and/or other intoxicating substances as prohibited by law
(Describe driving behavior or circumstances)

RAN INTO NEIGHBORS MAILBOX

Describe person's condition (odor, actions, etc):

REDBLOOD SHOT EYES, ODOR OF ALCHOLIC BEVERAGE ON PERSON, EMPTY BEER BOTTLES OUTSIDE VEHICLE AND INSIDE, THICK SLURRED SPEECH

THE PERSON WAS INFORMED OF THE IMPLIED CONSENT TEST REQUEST

☑ REFUSED TEST Whereupon the person refused the requested test(s) by stating or doing the following:

SUBJECT STATED HE DID NOT WISH TO TAKE THE TEST

OBSERVATION START	
RESULT TABLE	

I have been informed of the **Implied Consent Test Request** and refuse the state's test:

SIGNATURE OF ARRESTEE

(if the person refuses to sign so state here)

What happens next?

1. The Arresting Officer is required to submit the Officer's Impaired Driving Affidavit to the State of Oklahoma.
2. Upon receipt and review of the Officer's Impaired Driving Affidavit and any associated test results, if applicable, the State of Oklahoma may revoke your Oklahoma driving privileges. If you hold a commercial driver license or were driving a commercial motor vehicle, the State of Oklahoma may disqualify your privilege to operate a commercial motor vehicle. You will continue to have driving privileges, if otherwise eligible, unless or until an Order of Revocation and/or Disqualification is issued by the State of Oklahoma.
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In accordance with Title 12 O.S. Section 426, "I state under **penalty of perjury** under the laws of Oklahoma that the foregoing is true and correct."

Date: _____ Place (location when signed): _____ Signature of arresting officer: _____

NAME			AGENCY		
▓▓▓▓			▓▓▓▓		

BADGE	AGENCY ADDRESS		ZIP CODE	PHONE	
▓▓▓▓	▓▓▓▓			▓▓▓▓	

OTHER WITNESSES:

	NAME	TITLE	ADDRESS	PHONE
1				
2	NAME	TITLE	ADDRESS	PHONE

OFFICER/DPS COPY
BOT Form AFF01 11/2022