

**Title 19—DEPARTMENT OF  
HEALTH AND SENIOR SERVICES  
Division 25—State Public Health Laboratory  
Chapter 30—Determination of Blood  
Alcohol by Blood, Breath, Saliva and  
Urine Analysis; and Determination for  
the Presence of Drugs in Blood, Saliva and Urine**

**PROPOSED AMENDMENT**

**19 CSR 25-30.051 Breath Analyzer Calibration and Accuracy Verification Standards.** The department is amending sections (3), (4), and (6) and deleting section (7).

*PURPOSE: This amendment further defines the required certification of breath alcohol simulators, the reporting of simulator certification on maintenance checks, adds a new supplier of compressed gas mixtures, and removes a reference to restrictions that only applied to instruments no longer used for evidential breath alcohol testing in Missouri.*

(3) Approved suppliers of standard simulator solutions are—

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

(4) Any breath alcohol simulator used in the verification or calibration of evidential breath analyzers with the standard simulator solutions referred to in sections (2) and (3) of this rule shall be certified against a National Institute of Standards and Technology (NIST) traceable reference thermometer or thermocouple between January 1, 2013, and December 31, 2013, and annually thereafter. **Proof that the simulator is in certification shall be shown by entry of the simulator serial number and expiration date of the certification period on the maintenance report required under 19 CSR 25-30.031, or by certification report as issued by the Department.**

(6) Approved suppliers of standard compressed ethanol-gas mixtures are—

- (A) Intoximeters, Inc. [St. Louis, MO 63114]
- (B) CMI, Inc. [Owensboro, KY 42303]
- (C) Draeger Safety Diagnostic, Inc. [Durango, CO 81303-7911]
- (D) ILMO Products Company, Inc. [Jacksonville, IL 62651-0790]
- (E) **Guth Laboratories, Inc.**

*[(7) Compressed ethanol-gas mixtures shall only be used to verify and calibrate evidential breath analyzers listing compressed ethanol gas mixtures as an option during the maintenance check (see 19 CSR 25-30.031).]*

(7) *[(8)]* Maintenance reports completed prior to the effective date of this rule shall be considered valid under this rule if the maintenance report was completed in compliance with the rules in effect at the time the maintenance was conducted.

*AUTHORITY: section[s] 192.006 [and 577.026], RSMo 2000, and section[s] 577.020, **RSMo 2017**, and **section 577.037, RSMo [Supp. 2013] 2016.**\* Emergency rule filed Aug. 22, 1997, effective Sept. 1, 1997, expired Feb. 27, 1998. Original rule filed Aug. 25, 1997, effective Feb. 28, 1998. Emergency rescission and emergency rule filed April 17, 1998, effective May 4, 1998, expired Oct. 30, 1998. Rescinded and readopted: Filed May 1, 1998, effective Oct. 30, 1998. Amended: Filed Jan. 15, 2004, effective July 30, 2004. Amended: Filed May 31, 2012, effective Dec. 30, 2012. Amended: Filed Sept. 4, 2013, effective Feb. 28, 2014.*

*\*Original authority: 192.006, RSMo 1993, amended 1995; 577.020, RSMo 1977, amended 1982, 1983, 1996, 1998, 2001, 2006; 577.026, RSMo 1982; and 577.037, RSMo 1982, amended 1983, 1988, 1993, 1996, 2001.*

*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 Bill Whitmar, Director, Missouri Department of Health and Senior Services, Missouri State Public Health Laboratory, P.O. Box 570, Jefferson City, MO 65102. 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.*