



Colorado Department
of Public Health
and Environment

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Laboratory Services Division

5 CCR 1005-3

STATE BOARD OF HEALTH

**Approval of Breath Alcohol Ignition Interlock Devices
(Adopted September 18, 2002, effective December 2, 2002)**

Rules and Regulations for the Approval of Breath Alcohol Ignition Interlock Devices

1.1 Purpose and Scope.

This rule establishes the process and requirements for the evaluation and approval of breath alcohol ignition interlock devices by the Colorado Department of Public Health and Environment, Laboratory and Radiation Services Division and establishes the alcohol setpoint of breath alcohol concentration at which the device will prevent a driver from starting and operating a motor vehicle. This approval and rule making authority is stated in Colorado Revised Statutes section 42-2-132.5 (7)(a) & (b), 2001, as amended.

Approval of breath alcohol ignition interlock devices will be based on the device meeting or exceeding the model specifications as determined in the National Highway Traffic Safety Administration (NHTSA) "Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDS)" published in the Federal Register, Vol. 57, No. 67, Tuesday, April 7, 1992, pp. 11772-87. Any material incorporated by reference in these rules does not include later amendments to or editions of the incorporated material.

A certified copy of the NHTSA "Model Specifications" is available for public inspection during regular business hours or can be obtained by contacting the Colorado Department of Public Health and Environment, ATTN: Director, Laboratory and Radiation Services Division, 8100 Lowry Boulevard, Denver, CO 80230. Certified copies shall be provided at cost upon request. Any material that has been incorporated by reference in these rules may be examined at any state publications depository library.

1.2 Definitions as Used in This Regulation.

"Alcohol setpoint" means the breath alcohol concentration at which the ignition interlock device is set to lock the ignition and prevent the vehicle from being started.

"Approved ignition interlock device," "breath alcohol ignition interlock device (BAIID)," or "ignition interlock" means a device approved by the Colorado Department of Public Health and Environment that

- 1) is installed in a motor vehicle, and
- 2) measures the breath alcohol content of the driver before a vehicle is started, and
- 3) periodically requires additional breath samples during vehicle operation, and
- 4) prevents a driver from starting a motor vehicle or continuing normal operation if the device measures an alcohol level above the level established by the Colorado Department of Public Health and Environment.

"Approved list" means a list of ignition interlock devices that have been approved by the Colorado Department of Public Health and Environment.

"CDPHE" means the Colorado Department of Public Health and Environment.

“Model specifications” means the specifications for the performance and testing of breath alcohol ignition interlock devices as determined in the National Highway Traffic Safety Administration (NHTSA) “Model Specifications for Breath Alcohol Ignition Interlock Devices (BAIIDS)” published in the Federal Register, Vol. 57, No. 67, Tuesday, April 7, 1992, pp. 11772-87. This rule does not include later amendments to or editions of the incorporated material.

1.3 Requirements for Approval.

1.3.1 All ignition interlock devices approved for use in Colorado for implementation of Colorado Revised Statutes (CRS) Section 42-2-132.5 (7)(a) & (b), 2001, as amended, must meet or exceed all of the performance requirements set forth in the National Highway Traffic Safety Administration’s “Model Specifications for Breath Alcohol Ignition Interlock Devices” (Federal Register, Vol. 57, No. 67, Tuesday, April 7, 1992, pp. 11772-87). This rule does not include later amendments to or editions of the incorporated material.

1.3.2 In addition to meeting the model specifications, manufacturers or distributors of ignition interlock devices must provide required documentation to CDPHE as established in specific CDPHE protocols. This documentation will include

- 1) a written request to CDPHE for approval for each specific model of ignition interlock device, and
- 2) an affidavit from a nationally recognized, independent testing laboratory approved by CDPHE stating that each model of device has been tested and meets or exceeds the model specifications.

1.3.3 The NHTSA model specifications contain optional features specifications and optional features tests. Optional features specifications and optional features tests will not be considered by CDPHE for approval of the ignition interlock device. Optional features that are included by the manufacturer and tested by the nationally recognized laboratory will be used for informational purposes only.

1.4 Approved List of Ignition Interlock Devices.

CDPHE shall publish an approved list of ignition interlock devices. To obtain a copy, call (303) 692-3090.

1.4.1 CDPHE will update the approved list when a device is added or dropped.

1.4.2 Once a specific model is approved, no modification in design or operational concept may be made without prior written approval of CDPHE.

1.4.3 Any model of ignition interlock device that has received initial approval may be removed from the approved list if there is evidence that the device does not meet the model specifications when under actual use in Colorado.

1.5 Setpoint Value.

Approved ignition interlock devices will have an established alcohol setpoint value of 0.025 g/210 liters of breath.