

**661—158.2 (321J) Definitions.** The following definitions apply to rules 661—158.1(321J) through 661—158.9(321J):

*“Alcohol”* means any member of the class of organic compounds known as alcohols and, specifically, ethyl alcohol.

*“Authorized service provider”* or *“ASP”* means a person or company meeting all qualifications outlined in this chapter and approved and trained by the manufacturer to service, install, monitor or calibrate IIDs approved pursuant to this chapter.

*“Breath alcohol concentration”* or *“BrAC”* means the amount of alcohol determined by chemical analysis of the individual’s breath measured in grams of alcohol per 210 liters of breath.

*“Bypassing”* or *“tampering”* means the attempted or successful circumvention of the proper functioning of an IID including, but not limited to, the push start of a vehicle equipped with an IID, disabling, disconnecting or altering an IID, or introduction of a breath sample into an IID other than a nonfiltered direct breath sample from the driver of the vehicle in order to defeat the intended purpose of the IID.

*“DCI”* means the Iowa division of criminal investigation.

*“DOT”* means Iowa department of transportation, office of driver services.

*“Fail level”* means a BrAC equal to or greater than 0.025 grams per 210 liters of breath, at which level the IID will prevent the vehicle from starting or will indicate a violation once the vehicle is running.

*“Ignition interlock device”* or *“IID”* means an electronic device that is installed in a vehicle and that requires the completion of a breath sample test prior to starting the vehicle and at periodic intervals after the vehicle has been started. If the IID detects an alcohol concentration of 0.025 grams or greater per 210 liters of breath, the vehicle shall be prevented from starting.

*“Laboratory”* means the division of criminal investigation criminalistics laboratory.

*“Lessee”* means a person who has entered into an agreement with a manufacturer or an ASP to lease an IID and whose driving privileges are contingent on the use of an IID.

*“Lockout condition”* means a situation in which a proper breath sample was not provided to an IID when required, or when a random retest results in an alcohol concentration equal to or greater than 0.025 BrAC. Once a lockout condition occurs, the IID shall be reset by the manufacturer or the ASP within five days, or the IID shall render the vehicle ignition incapable of starting the vehicle.

*“Manufacturer”* means the person, company, or corporation that produced the IID.

*“Random retest”* means a breath sample that is collected in a nonscheduled, random manner after the vehicle has been started.

*“User”* means a person operating a vehicle equipped with an IID.

*“Violation”* means a condition caused by either (1) failure to provide a proper breath sample to the IID during a random retest, (2) the IID indicating a concentration exceeding the maximum allowable

concentration of 0.025 BrAC during a random retest, or (3) the IID indicating that bypassing the device or tampering with the device occurred or was attempted.

[**ARC 7887B**, IAB 7/1/09, effective 10/1/09]