



**STATE OF OKLAHOMA
BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE**

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**ACTION NO. 96-1 BY THE STATE DIRECTOR OF TESTS FOR ALCOHOL AND
DRUG INFLUENCE**

Under authority of 47 O.S., Supp 1995, Section 751-761 and OAC 40:1-1-3, promulgated by the Board of Tests for Alcohol and Drug Influence, the following official **ACTION** is hereby taken by the State Director of Tests for Alcohol and Drug Influence.

DEFINITION OF "ANY MEASURABLE QUANTITY OF ALCOHOL"

- (1) New law enacted as S.B. No. 1230 by the 1996 Oklahoma Legislature, to be codified as Section 6-106.4 of Title 47, O.S., makes it unlawful for any person under twenty-one (21) years of age to drive, operate, or be in actual physical control of a motor vehicle within this state who "Has any measurable quantity of alcohol in the person's blood or breath at the time of a test administered within two (2) hours after arrest of the person." This and conforming amendments to other sections of the Oklahoma Statutes which were also enacted November 1, 1996.
- (2) For the information and guidance of all concerned parties, the State Director of Tests for Alcohol and Drug Influence hereby provides the following definition: In the above context, the term "any measurable quantity of alcohol in the person's blood or breath" means an alcohol concentration of two-hundredths (0.02) or more in the blood or the breath; where "alcohol concentration" means grams of alcohol per one hundred (100) milliliters of blood if the blood is tested, or grams of alcohol per two hundred and ten (210) liters of breath if breath is tested, as defined in 47 O.S., Section 756.
- (3) The forgoing definition of "any measurable quantity of alcohol in the person's blood or breath" is based on the nationally recognized consensus of relevant scientific community on blood and breath-alcohol testing, and is further in agreement with the corresponding definition appearing in §6-208(a) of the Uniform Vehicle Code and Model Traffic Ordinance as adopted in 1992 by the National Committee on Uniform Traffic Laws and Ordinances.
- (2) This **ACTION** by the State Director of Tests for Alcohol and Drug Influence shall take effect on and after 1 October 1996.

27 September 1996



Kurt M. Dubowski
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State Director of Tests
for Alcohol and Drug Influence