



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

Post Office Box 36307

Oklahoma City, Oklahoma 73136-2307

Phone: (405) 425-2460 Fax: (405) 425-2490

www.bot.ok.gov

Dr. Jarrad Wagner, Ph.D.
Chairman

Joshua Smith
State Director

The agenda for this meeting was posted in accordance with Title 25 Section 311.A.9, at the Administrative Offices of the Board of Tests for Alcohol and Drug Influence, 3600 North Martin Luther King Avenue, Building 9, Oklahoma City, OK, 73111.

**Regular Meeting
Of the Board of Tests for Alcohol and Drug Influence
Oklahoma Department of Public Safety Complex,
W.C. Sarg Smith Classroom
3600 North Martin Luther King Avenue, Oklahoma City, OK, 73111**

**Tuesday May 14, 2024
10:00 A.M.**

MINUTES

BOARD MEMBERS PRESENT:

Dr. Jarrad Wagner, OSU Health Science – Chair
Chief Michael Bell, Oklahoma Chiefs of Police

Major Nathaniel Mackey, Dept. of Public Safety
Sheriff Damon Devereaux, Sheriffs and
Peace Ofc Assoc.
Kevin McCullough, CLEET

BOARD MEMBERS NOT PRESENT:

Dr. LaTrina Frazier, Dept. of Health
Kevin Kramer, Oklahoma State Bureau of
Investigation
Dr. Kenneth Blick, OU Health Science

STAFF PRESENT:

Josh Smith, Director
Jordan Miller, Bus. Services Coord.
Magan Sloan, Interlock Assistance Rep.
Christopher Pape, Breath-Test Admin
David Cravens, Training Admin
David Barnett, Interlock Admin

1. Call to Order and Roll Call

Action Taken: Dr. Wagner called the meeting to order at approximately 10:00 a.m. Roll was taken; five members were present.

2. Statement of Compliance with the Open Meetings Act

Action Taken: Dr. Wagner gave statement of compliance for the record.

3. Approval of Minutes

Action Taken: Chief Bell motioned to approve the drafted minutes from the Tuesday, February 13, 2024, Regular Board Meeting. Kevin McCullough seconded.

A roll call was taken with the following results: Wagner voted yes, Bell voted yes, McCullough voted yes, Devereaux voted yes, Mackey voted yes.

4. Director's Report

The Director provided the following updates:

Legislative:

HB3000 - Bill was signed into law 05/03/2024. Effective 11/01/2024. Creates the Impaired Driving Prevention Advisory Committee; Opens medical exemption qualifications to all tiers of the IDAP program, clearly identifies the Board's authority over interlock providers, technicians, and service centers in response to AG opinion given in 2023 to Board of Education and allows an optional pathway for first time impaired driving offenders. Service Oklahoma has reported that they will be meeting with me soon to discuss the changes and processes moving forward.

Agency:

IDAP - The agency has continued to observe quarterly growth of enrollments

January – 133

February – 166

March – 141

April - 186

Training - David has completed 24 Intoxilyzer 8000 courses. We are experiencing no shows from enrolled students, David now submits notice to agency leadership for no shows because we have limited seating.

Maintenance - We continue to maintain instrumentation the best we can. CMI is still repairing instruments. We have 13 units currently at CMI awaiting repair. Average repair times are between 90 and 120 days.

Proposed Admin office move - DPS approached the Director and proposed a new location for the Board to office from. The location proposed remains on campus and includes renovation costs absorbed by DPS. The discussion is ongoing and there are no solidified plans at this time. The Director informed the Board that the proposed location increases our visibility and adds more office space. There are some changes that would need to occur to accommodate the classroom instruction for breath testing operator trainings, but the changes are only logistical.

5. Updates and discussion with possible action regarding breath alcohol instrumentation state plan.

(Note: This plan is fluid and amendable.)

**BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE "STATE PLAN" TO
ADOPT NEW BREATH ALCOHOL TESTING INSTRUMENTATION**

- ~~1. Identify the need for new instrumentation (current situation of the state).~~
- ~~2. Modify the administrative rules to accommodate incorporation of the new instrumentation.~~
- ~~3. Develop and adopt internal Board policy and procedure for instrument evaluation.~~
- ~~4. Solicit feedback from other states currently using candidate instruments.~~
- ~~5. Select instruments to evaluate that meet the statutory requirements, rules, and needs of the State.~~
- ~~6. Evaluate instruments pursuant to the internal Board evaluation policy and procedure.~~
- ~~7. Board selects best candidate/instrument to adopt based on evaluation report/results or best fit.~~
- ~~8. Work with the selected instrument manufacturer to negotiate a purchase and service contract.~~
- ~~9. Identify funding sources and acquisition of new instrumentation.~~
- ~~10. Send qualified staff to manufacturer maintenance and repair training.~~
- ~~11. Develop and identify level of training and curriculum for current operators and new operators.~~
- ~~12. Create roll-out and distribution plan for new instrumentation.~~

Discussion:

The Director informed the Board that staff (Chris, David, and Josh) attended the Intoxilyzer 9000 manufacturer training. The Director informed the Board that hardware is expected to begin arriving in June 2024 and will have a five-year warranty. The staff and CMI, Inc. are working through the software development.

Action Taken: No Action taken.

6. Public Comment(s) **pursuant to the Oklahoma Open Meetings Act, no action may be taken on any public comments*

Public comments were heard. Thomas Hosty recommended the Board have the software included in the five-year warranty with the Intoxilyzer 9000. Thomas Hosty recommended that if the Board were to move locations that it would be great to see a

waiting lobby. He shared that Service Oklahoma is failing to serve notice and they are sending late notices.

Brian Morton shared that he takes care of his clients and has no other comments to share.

- 7. Possible discussion and vote to enter Executive Session pursuant to 25 O.S. § 307 to discuss employment, demotion, discipline, or performance for the following individual salaried employees of the Board:
David Barnett, David Cravens, Jordan Miller, Christopher Pape, Magan Sloan, Joshua Smith.**

- **Vote to Enter Executive Session**
- **Vote to Exit Executive Session**

Action Taken: Kevin McCullough motioned to enter executive session. Sheriff Devereaux seconded.

A roll call was taken with the following results: Wagner voted yes, Bell voted yes, Devereaux voted yes, McCullough voted yes, Mackey voted yes

Action Taken: Sheriff Devereaux motioned to exit executive session. Chief Bell seconded.

A roll call was taken with the following results: Wagner voted yes, Bell voted yes, Devereaux voted yes, McCullough voted yes, Mackey voted yes

- 8. Possible discussion and action in response to Executive Session discussions.**

Action Taken: Kevin McCullough motioned the Director move forward with the personnel decisions discussed in the executive session. Chief Bell seconded.

A roll call was taken with the following results: Wagner voted yes, Bell voted yes, Devereaux voted yes, McCullough voted yes, Mackey voted yes

- 10. Chairman's Report**

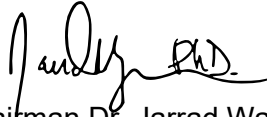
Dr. Wagner expressed the Board's continued overall approval and appreciation to the staff members. Dr. Wagner relayed to the staff that he is aware that the agency is not fully operated by the director and that the monthly reports received from the director come as a result of the hard work put in by the staff.

11. **Adjournment**

Action Taken: Chief Bell motioned to adjourn. Major Mackey seconded.

A roll call was taken with the following results: Wagner voted yes, Bell voted yes, Devereaux voted yes, McCullough voted yes, Mackey voted yes

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jarrad Wagner Ph.D.", written in a cursive style.

Chairman Dr. Jarrad Wagner

Board of Tests for Alcohol and Drug Influence

**A digital copy of these minutes is kept on record at the Board of Tests.
Available upon request.**