



POLICY AND PROCEDURE STATEMENT TRG 3.3.0 BREATH-ALCOHOL OPERATOR PERMIT REINSTATEMENT

Purpose: This policy and procedure outlines the procedure and requirements necessary for reinstatement of applicable expired breath-alcohol analysis permits. Applicable expired permits must be for the immediate preceding year, (i.e. permit expired 12/31/2019, operator is requesting reinstatement for calendar year 2020).

Effective Date: January 12, 2026

Superseded Policy: TRG 3.2.0

References: 47 O.S. §759, 40 O.A.C. 10-3-3, 40 O.A.C. 10-3-5

Related Forms:

Approved By: Joshua Smith

All permit holders that expire and fail to meet these exceptions are encouraged to complete a new state approved evidential breath testing device certification course provided by the Board.

1. **Administration:** The provisions of this section guide Board administration in identifying eligibility of the applicant to reinstate their expired breath-alcohol operator permit.
 - a. Documentation that a valid Breath-Alcohol Analysis Operator Permit was issued to the applicant under authority of this Board, of the issue and expiration dates of said Permit, and that said Permit had not been revoked for cause.
 - b. Satisfactory completion of a requalification or retraining course of instruction in breath-alcohol analysis operation consisting of such theoretical and practical instruction and laboratory practice as deemed applicable and necessary by the State Director of Tests for Alcohol and Drug Influence in consultation with the instructional staff.
 - c. Must be a qualified employee of a recognized Oklahoma, Tribal or Federal law enforcement agency, whose duties include performance or training of Breath-Alcohol Analysis Testing.
 - d. A reinstatement file shall be created for Board record.
 - e. A Board of Tests letterhead document shall be created identifying the name of the operator, the permit number being reinstated, and a brief overview of the reason for reinstatement.

Example given: "A review was completed verifying permit ##### assigned to "John Doe" expired MM/DD/YYYY. A request was received for reinstatement on MM/DD/YYYY from "AGENCY\Member\Title". It has been determined by the Board that "John Doe" meets the requirements for reinstatement outlined in BOT Policy TRG 3.1.1 under the authority of 40 O.A.C. 10-3-3 and 40 O.A.C. 10-3-5."

"Signature\Title\Agency"

2. Re-instatement requirements:

2.1. Military service reinstatement process

- i. Operators that are on military leave shall renew within 60 days after military duty is fulfilled and they have entered back into service with their employer.
- ii. The letter requesting reinstatement shall be on employer letterhead signed by a supervisor or appropriate human resources personnel.
- iii. Military orders showing the date of entry to active duty and date of return from active duty shall be furnished to the Board. Such orders will be put into the reinstatement file as part of the Board record. Date of entry/deployment must be prior to October 1 and date of return must be after December 15. The Director is authorized to use discretion on a case by case basis regarding military reinstatements falling outside the referenced time windows.
- iv. A renewal test will be made available for the operator to complete.
- v. The operator must score 80% or higher on the test.

2.2. Administrative leave

- i. An operator placed on administrative leave by their employer that impacted the operator's ability to renew a permit shall complete permit renewal within 60 days of reentry into service with the employer. The letter requesting reinstatement shall be on employer letterhead signed by a supervisor or appropriate human resources personnel reporting the start date and end date such employee was placed on administrative leave.
- ii. A renewal test will be made available for the operator to complete.
- iii. The operator must score 80% or higher on the test.

2.3. Other

- i. Permitted operators that fail to renew their permit during the renewal portal period of October 1 thru December 15 may petition the Board of Tests on their employer letterhead containing the following information: Name, Agency, Permit Number, and it must be signed by their administration (excluding digital signatures), requesting reinstatement. The petition must be received after the renewal testing portal closure but before January 16 of the permit year.
- ii. The training administrator is authorized to exercise discretion with operators that are in a supervisory role within their agency.
- iii. A renewal test will be made available for the operator to complete.
- iv. The operator must score 80% or higher on the test.