

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

4400 BROAD RIVER ROAD
COLUMBIA, SOUTH CAROLINA 29210

POLICY #: 8.12.21	DATE: 09/01/93	REVISION DATE:
TITLE: IMPLIED CONSENT - BAC DATAMASTER SIMULATOR SOLUTION CHANGE		PAGE 1 OF 2

RESPONSIBLE AUTHORITY: SPECIAL AGENT IN CHARGE OF
FORENSIC SERVICES LABORATORY

RELATED STANDARDS/STATUTES/REFERENCES: S.C. Code of Laws, Section 56-5-2950
S.C. Code of Laws, Section 50-21-114
S.C. Code of Laws, Section 55-1-100
S.C. Code of Laws, Section 56-1-2130

GENERAL PURPOSE: To set forth policies for the administration of implied consent breath alcohol tests.

POLICY: The Division will establish procedures for properly conducting implied consent BAC DataMaster breath alcohol tests.

SPECIFIC PROCEDURES: The simulator solution must be certified by SLED. The certification is valid from 12:01 A.M. of the date listed on the certification sheet. The certification does not expire unless revoked by SLED. The solution concentration shall be 0.121 grams ethanol per 100 milliliters of solution plus or minus 5% (0.115% through 0.127%, inclusive). This range of solution concentration when used in a calibrated simulator, operating at 34 degrees Celsius (C) plus or minus 0.5 degrees C, will give an alcohol reading of 0.10% (0.095% through 0.105%, inclusive). Each lot of solution shall be analyzed by an independent laboratory and reported. A copy of this report and SLED certification sheet shall be maintained for a minimum of three years from the date of certification. Each bottle shall have a lot number, bottle number, an integrity seal, and an expiration date. A bottle of simulator solution may be used until its expiration date, and then changed. A bottle of solution is valid until its expiration date. Expired solutions will not be used for simulator tests.

A certified test operator or breath test specialist must change the solution. A sticker shall be placed near the instrument that denotes lot and bottle number. After the F1 key is pressed, the instrument will display, "PASSWORD:". After the appropriate password and "RETURN" are entered, the instrument will display:

"--- FUNCTIONS ---
CHANGE SIM. SOLUTION"

The F2 key on the keypad should now be pressed. Test questions (27) - (34) are prompted. After the simulator solution reaches proper temperature, 34.0 degrees C plus or minus 0.5 degrees C, the instrument performs five simulator tests. The first test will use run sequence steps (1) - (5), while the second, third, and fourth tests will use run sequence steps (1) - (3) and (5). The last test will use run sequence steps (1) - (3), (5), (6), and (8). The readings of the five tests must average 0.095% through 0.105%, inclusive, which constitutes a 0.10% reading according to SLED policy. In addition, the five simulator tests must have a standard deviation of 0.003% or less. If a failure to meet these standards occurs, a mandatory solution change is required. In this case, the entire procedure must be repeated with a different bottle of solution. However, a failed solution change does not indicate the solution lot and/or bottle was improper, only that the readings obtained were outside acceptable limits. The bottle is only changed so that the solution counter may be reset.