



OFFICE OF ATTORNEY GENERAL
Crime Laboratory Division
2635 East Main Avenue
P.O. Box 937
Bismarck, North Dakota 58502-0937

Tel. (701) 328-6159
(800) 296-2054
Fax (701) 328-6185

MEMO TO: ALL AGENCIES RECEIVING INTOXILYZER® S-D5 (FIVE) INSTRUMENTS
FROM: MARGARET A. PEARSON, STATE TOXICOLOGIST *MAP*
DATE: APRIL 17, 2008
**REGARDING: DISTRIBUTION OF NEW INTOXILYZER® S-D5 (FIVE) INSTRUMENTS AND
CONTINUED USE OF INTOXILYZER® S-D2 INSTRUMENTS**

We have reviewed the requests submitted for the new Intoxilyzer® S-D5 (Five) instruments available from our department through highway safety funding. It is unfortunate that we were able to fill only 200 of the requested 485 at this time. One-third each of the instruments available will be distributed to city, county, and state agencies based on their activity in DUI enforcement. **Your agency has been selected to receive one or more of the available instruments.** Due to the amount of instruments requested and actual availability, it is possible that you may not have received the desired amount of instruments noted in your request to our office. However, your request will remain on file, and we will prioritize your request again as more grant funding becomes available. We are requesting that your agency arrange for someone from your staff to pick up the instrument(s) by the first week in May. Officers transporting prisoners to and from the ND State Penitentiary or bringing in evidence to the Crime Laboratory can also pick up the instrument(s) for your agency. The individual receiving the instrument(s) will be asked to sign a receipt.

Purchasing Additional Intoxilyzer® S-D5 (Five) Instruments:

Some agencies have available funding to purchase Intoxilyzer® S-D5 (Five) instruments from grant monies. If your agency has available funding, please obtain the purchasing information from the following web site (select Breath Alcohol Screening Devices under Contract #188):

<https://secure.apps.state.nd.us/csd/spo/services/bidder/listCurrentContracts.htm>

The purchased instrument will be shipped directly to your agency. After receiving the instrument, your agency will be responsible for ordering mouthpieces, calibration adapters, consumables (fuel cells), and all repairs. If an Intoxilyzer® S-D5 (Five) is in need of repair, send it directly to CMI, Inc.

Initial Intoxilyzer® S-D5 (Five) Training:

The agencies receiving instruments will be sent initial training materials for the Intoxilyzer® S-D5 (Five) along with the chemical test operator recertification materials for the Intoxilyzer® S-D2 and Intoxilyzer® 5000. This material will be sent to your agency on or before **May 1, 2008**. The material will include a DVD video, paperwork, and quiz. After viewing the video, officers will need to complete the paperwork and quiz. The paperwork should be sent to our office for certification of the officers. Complete and return all (initial and recertification) training paperwork by **June 6, 2008** to allow our office enough time to include the trained officers on a List of Certified Chemical Test Operators to be sent to all county recorder offices on **July 1, 2008**.

Any of your officers are eligible to be certified whether or not they have had prior training from our office. When performing training, we encourage all of your officers to take the training at the same time. **Officers may use the instruments for highway safety use only after they receive an operator's card from our office.**

Certification of Intoxilyzer® S-D5 (Five) as an Approved Screening Instrument:

Effective **July 1, 2008**, the Intoxilyzer® S-D5 (Five) instrument will be certified for use under sections 20.1-15-15 and 39-20-14 of the North Dakota Century Code for the purpose of estimating the alcohol content of a person's blood.

Intoxilyzer® S-D2 Instruments:

We may have Intoxilyzer® S-D2's available after **July 1, 2008**, as some may be returned from agencies receiving the new Intoxilyzer® S-D5 (Five) instrument. If your agency would like to use an Intoxilyzer® S-D2 until the time it can be replaced with an Intoxilyzer® S-D5 (Five), please send our office a request on your agency letterhead. The Intoxilyzer® S-D2 will remain certified for highway safety use until **June 30, 2011**. Due to a decrease in grant funding, our office will no longer be supplying mouthpieces and fuel cells or repairing Intoxilyzer® S-D2 instruments currently in the field as of **October 1, 2008**. If an Intoxilyzer® S-D2 is in need of repair, send it directly to CMI, Inc.

Contact Information for Instruments/Supplies:

Intoxilyzer® S-D2 Mouthpieces:

Intoximeters, Inc.
8110 Lackland Road
St. Louis, MO 63114-4524
Telephone: (800) 451-8639
(Intoxilyzer® S-D2 (Restricted) Mouthpiece Part #23-0050-00)

Intoxilyzer® S-D5 (Five) Mouthpieces/Calibration Adapters:

CMI, Inc.
316 East Ninth Street
Owensboro, KY 42303
Telephone: (866) 835-0690
(Intoxilyzer® S-D5 (Five) Mouthpiece Part #01503)
(Intoxilyzer® S-D5 (Five) Calibration Adapter Part #SA10040)

NOTE:

**MOUTHPIECES ARE NOT
INTERCHANGEABLE
BETWEEN THE TWO
INSTRUMENTS.**

Chemical Test Operator Class Codes as of July 1, 2008:

The following class codes will identify officer training received as they are listed on the List of Certified Chemical Test Operators that goes out to all county recorder offices on **July 1, 2008**:

<u>Class:</u>	<u>Certified to Operate:</u>
Class 4	Intoxilyzer® S-D2, Intoxilyzer® 5000 KB, and Intoxilyzer® 5000 KB-EP
Class 5	Intoxilyzer® S-D2
Class 7	Intoxilyzer® S-D5 (Five)
	*Field Inspector

If you have any questions, please do not hesitate to contact our office at (701) 328-6159.

MP/cl