



OFFICE OF ATTORNEY GENERAL  
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**MEMO TO:** ALL AGENCIES REQUESTING INTOXILYZER® S-D5 (FIVE) INSTRUMENTS  
**FROM:** MARGARET A. PEARSON, STATE TOXICOLOGIST *MAP*  
**DATE:** APRIL 17, 2008  
**REGARDING:** REQUESTS FOR INTOXILYZER® S-D5 (FIVE) INSTRUMENTS AND  
CONTINUED INTOXILYZER® S-D2 USE

We have reviewed the requests submitted for the new Intoxilyzer® S-D5 (Five) instruments available from our department through highway safety funding. **I am sorry to inform you that your agency was not chosen to receive any of the instruments 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. It is unfortunate that we were able to fill only 200 of the requested 485 at this time. However, your request will remain on file, and we will prioritize the remaining requests as more grant funding becomes available.

**Purchasing 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:**

When purchasing Intoxilyzer® S-D5 (Five) instruments, please contact our office for training materials. Training material for the instrument 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. 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)<br>*Field Inspector                         |

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

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