

1 10A NCAC 41B .0322 is proposed for amendment as follows:

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3 **10A NCAC 41B .0322 INTOXIMETERS: MODEL INTOX EC/IR II AND MODEL INTOX EC/IR II**  
4 **(ENHANCED WITH SERIAL NUMBER 10,000 OR HIGHER)**

5 The operational procedures to be followed in using the Intoximeters, Model Intox EC/IR II and Model Intox EC/IR II  
6 (Enhanced with serial number 10,000 or higher) are:

- 7 (1) ~~Insure~~ Ensure instrument displays time and date;
- 8 (2) ~~Insure~~ Ensure observation period requirements have been met;
- 9 (3) Initiate breath test sequence;
- 10 (4) Enter information as prompted by the instrument; ~~prompted~~;
- 11 (5) Verify instrument accuracy;
- 12 (6) When "PLEASE BLOW" appears, collect breath sample;
- 13 (7) When "PLEASE BLOW" appears, collect breath sample; and
- 14 (8) Print test record.

15 If the alcohol concentrations differ by more than 0.02, a third or fourth breath sample shall be collected when  
16 "PLEASE BLOW" appears. Subsequent tests shall be administered as soon as feasible by repeating steps (1) through  
17 (8), as applicable.

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19 *History Note: Authority G.S. 20-139.1(b);*

20 *Eff. November 1, 2007;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*  
22 *2018.*

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