

4501-45-01

**Definitions.**

- (A) "Days" means business days and excludes weekends and holidays.
- (B) "Department" means the department of public safety.
- (C) "Director" means the director of the department of public safety or a designee.
- (D) "Director of Health" means the director of the department of health or a designee.
- (E) "Ignition interlock device" means a device certified by the director that connects a breath analyzer to a motor vehicle's ignition system, that is constantly available to monitor the concentration by weight of alcohol in the breath of any person attempting to start the motor vehicle by using its ignition system, and that deters starting the motor vehicle by use of its ignition system unless the person attempting to start the vehicle provides an appropriate breath sample for the device and the device determines that the concentration by weight of alcohol in the person's breath is below a preset level.
- (F) "Immobilizing or disabling device" means a device certified by the director that a person may be court ordered to use as a condition of exercising limited driving privileges. "Immobilizing or disabling device" includes, but is not limited to an ignition interlock device, an ignition blocking device initiated by time or magnetic or electronic encoding, an activity monitor, a prototype device that is used according to protocols designed to ensure efficient and effective monitoring of court ordered limited driving privileges granted to a person and any other device that reasonably assures compliance with a court order granting limited driving privileges.
- (G) "Independent testing laboratory" means a testing laboratory or analytical chemist not affiliated with a manufacturer of immobilizing or disabling devices including, but not limited to ignition interlock devices, that is qualified to test such devices or reference samples, and is approved by the department.
- (H) "Manufacturer" means any natural person, firm, partnership, association, corporation, or other business entity, engaged in the manufacturing or assembling of an immobilizing or disabling device, including an ignition interlock device.
- (I) "Prototype device" means an alcohol testing device, not certified by the director, that a court uses in a pilot program to monitor limited driving privileges granted to a person.
- (J) "Purchaser" includes, but is not limited to a natural person, a corporation, a partnership, a limited liability company, an association, or any other entity comprised of two or more persons having a joint or common interest, that leases, buys, or otherwise uses a licensed manufacturer's ignition interlock device(s) in this state.

(K) "Sales" means all monetary profit a licensed manufacturer of an ignition interlock device earned from, or which is attributed to, the lease, sale, or other use of each of its certified device(s) to purchasers in this state during the twelve month period the manufacturer's license was in effect.

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CERTIFIED ELECTRONICALLY

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Certification

05/21/2010

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Date

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