**Section 1286.10 Definitions**

"Accredited Law Enforcement Training Academy" means a police training organization that is recognized by the Illinois Law Enforcement Training Standards Board and is accredited by Commission on Accreditation for Law Enforcement Agencies (CALEA), 10302 Eaton Place, Suite 100, Fairfax VA 22030-2215.

"Accuracy Check Record" means the data recorded in a logbook or stored in memory when an accuracy check is performed on an approved evidentiary instrument. Accuracy test records will include at least the type of instrument, instrument serial number, test date, reference sample value, and the readings of the two accuracy check tests. Certification check and standard check are synonyms for accuracy check.

"Agency" means a Municipal, Park District, County, State and Federal law enforcement agency or Circuit Court Probation Department involved in the use of approved evidentiary instruments or PBTs.

"Alcohol" means ethanol (commonly referred to as grain alcohol), ethyl alcohol, alcoholic beverage, alcoholic liquor, isopropanol or methanol.

"Alcohol Concentration" means weight in grams of alcohol in a specified volume of blood, breath, or urine.

"Approved Evidentiary Instrument" means an instrument approved for use by the Department to obtain a BrAC pursuant to a breath test as described under Section 6-106.1a of the Illinois Vehicle Code [625 ILCS 5/6-106.1a], Section 11-501 of the Illinois Vehicle Code [625 ILCS 5/11-501], Section 11-501.1 of the Illinois Vehicle Code [625 ILCS 5/11-501.1], Section 11-501.2 of the Illinois Vehicle Code [625 ILCS 5/11-501.2], Section 11-501.6 of the Illinois Vehicle Code [625 ILCS 5/11-501.6], Section 11-501.8 of the Illinois Vehicle Code [625 ILCS 5/11‑501.8], and Sections that cross-reference Section 11-501.2 of the Illinois Vehicle Code [625 ILCS 5/11-501.2].

"Approved PBT" means an instrument approved for use by the Department either to obtain a BrAC pursuant to a preliminary breath screening test as described under Section 11-501.5 of the Illinois Vehicle Code [625 ILCS 5/11-501.5], Section 5-7.5 of the Snowmobile Registration and Safety Act [625 ILCS 40/5‑16b], Section 5-16b of the Boat Registration and Safety Act [625 ILCS 45/5‑16b], and Sections that cross-reference Section 11-501.5 of the Illinois Vehicle Code [625 ILCS 5/11-501.5] or to obtain a BrAC pursuant to a breath test as described under Section 11-501.6 of the Illinois Vehicle Code [625 ILCS 5/11‑501.6], and Section 11-501.8 of the Illinois Vehicle Code [625 ILCS 5/11‑501.8].

"Blood Alcohol Concentration" or "BAC" means grams of alcohol per 100 milliliters of whole blood (Section 11-501.2(a)(5) of the Illinois Vehicle Code [625 ILCS 5/11-501.2(a)(5)]).

"Breath Alcohol Concentration" or "BrAC" means *grams of alcohol per 210 liters of breath* (Section 11-501.2(a)5 of the Illinois Vehicle Code [625 ILCS 5/11‑501.2(a)5]).

"Breakdown" means a malfunction that affects the analytical performance of the instrument or its ability to quantitate a BrAC.

"Breath Analysis Instructor" or "BAI" means an individual who is accredited by the Department to instruct breath analysis instrument operations and to train and administer licensing examinations to BAOs.

"Breath Analysis Operator" or "BAO" means an individual licensed by the Department to operate approved evidentiary instruments and to create subject test records. BAOs can print local reports from an evidential instrument, including accuracy checks, and perform basic maintenance on the instrument, such as replacing the instrument's paper or keyboard.

"Breath Analysis Reading" means the numeric value of the first two digits to the right of the decimal point of a BrAC analysis as displayed, printed, or recorded by an instrument.

"Breath Analysis Technician" or "BAT" means an individual who is authorized by the Department to conduct re-certification classes for BAOs and to administer that examination, to install, examine, certify, repair, maintain, check the accuracy of approved evidentiary instruments, and create accuracy check records and service records.

"Central Repository" means the collection and maintenance by the Department of business records, maintained by an agency in the normal course of business, of subject test records, quick tests, accuracy check records, calibrations, and service records.

"Certified Paramedic" means an individual licensed by the Illinois Department of Public Health as an Emergency Medical Technician (Intermediate) or Emergency Medical Technician (Paramedic) acting under the direction of a licensed physician as a phlebotomist.

"Department" means the Illinois Department of State Police.

"Director" means the Director of State Police.

"Foreign Substance" means any substance not in the subject's body when a 20‑minute observation period is commenced, excluding a substance introduced due to normal breathing.

"Ingested" means eaten, chewed, swallowed or consumed by mouth in any other manner; inhaled, sniffed, snorted, sprayed, or introduced into the breathing passages in any other manner; injected or introduced into the body in any manner.

"Instrument" means any item or combination of items of equipment used to quantitate a breath analysis reading.

"Internal Memory" means the digital storage medium that is part of an approved evidentiary instrument that registers subject test records, accuracy check records, quick tests, and calibrations.

"License" means a permit issued as evidence by the Department to an individual as proof of his or her authority and competence as a BAO, BAT, BAI, or PBT-E.

"Logbook" means a business record, maintained by the agency in the normal course of business, of subject test records and accuracy check records. The logbook does not contain automatic accuracy checks or accuracy checks performed remotely.

"Malfunction" means failure of an instrument to function properly.

"NHTSA's List" means the Conforming Products List of Evidential Breath Measuring Instruments produced by the National Highway Traffic Safety Administration, United States Department of Transportation.

"Passive Sensor" means a unit that monitors ambient air for the presence of alcohol for an investigative purpose.

"Phlebotomist" means a person trained to collect blood from another individual through venipuncture.

"Preliminary Breath Test Device" or "PBT" means a portable device used to quantitate a breath analysis reading.

"Preliminary Breath Test Examiner" or "PBT-E" means a BAO who is authorized by the Department to perform accuracy checks on preliminary breath test devices.

"Reference Sample" means either a solution for use in a breath simulator, commonly referred to as a wet bath simulator, or a dry gas mixture, commonly referred to as a dry gas evidential standard (DGES), for the purpose of instrument certification, accuracy checks, and/or calibration.

"Service Record" means information concerning an instrument breakdown. Service records will include at least the type of instrument, instrument serial number, date of service, service issue reported, service issue found, probable cause of service issue, corrective action taken, and BAT. Service records do not include information such as a bill for repairs of an approved evidentiary instrument or documentation included with an instrument returned from the manufacturer.

"Subject Test Record" means the data recorded by a BAO in the logbook or printed out or stored by the instrument in memory when a subject is tested with an approved evidentiary instrument. Subject test records will include at least the type of instrument, instrument serial number, name of individual tested, test date, breath analysis reading, and BAO. Subject Test Records do not include information other than that which can be recorded in instrument memory or the central repository.

"Urine Alcohol Concentration" or "UAC" means *the number of grams of alcohol per 67 milliliters of urine* (Section 6-500(2)(C) of the Illinois Vehicle Code [625 ILCS 5/6-500(2)(C)]).

"Whole Blood Equivalent" means the conversion of a blood serum or blood plasma alcohol concentration to an approximate BAC.

(Source: Amended at 39 Ill. Reg. 11670, effective July 29, 2015)