**Section 1286.100 Licensing BAOs**

The Director or the Director's designee is authorized to license persons to be BAOs subject to the requirements of this Section. BAOs are permitted to perform all appropriate BAO functions described in this Part. Only after the completion of both the written/digital examination and proficiency test may a BAOs operate evidential breath testing instruments.

a) To be eligible to be a BAO, the individual must be employed by an agency or an accredited law enforcement training academy. BAO candidates, including those who have previously been licensed as a BAO in another state, must successfully attend the course and pass the written and proficiency examination or successfully complete a computer-based training (CBT) course.

b) Under the direction and control of a BAI, BAO candidates must:

1) Complete a training curriculum approved by the Department that includes a minimum of 8 hours of instruction, which includes the following:

A) Presentation and discussion of the psychological, physiological, and pharmacological effects of alcohol in the human body;

B) Demonstration and discussion of instruments and the analytical processes used to measure BrAC;

C) Practical application and demonstration in the use of an approved evidentiary instrument; and

D) Discussion of current DUI issues, the administrative rules, and case law.

2) Pass the following:

A) The standardized written examination for Breath Analysis Operator provided by the Department with a minimum score of 70 percent; and

B) A proficiency examination in which the candidate operates approved evidentiary instruments.

c) The Department shall issue a certificate/license to a BAO candidate upon successful completion of both the examinations described in subsection (b)(2). A certificate/license shall be valid for a period of three years after the printed date of issuance. If the certificate/license is not renewed as provided for in Section 1286.110, it shall expire three years after the printed date of issuance.

d) Breath Alcohol Operator classes will be held in locations approved by the Department based upon appropriate lighting, space, heating, and air conditioning conditions. A minimum of 12 students must be in attendance to start and conduct the class.

e) When the Department approves a new evidentiary instrument (see Section 1286.210) after the BAO's initial licensure, the Department will provide training on the new instrument.

(Source: Amended at 46 Ill. Reg. 14363, effective July 28, 2022)