

1 1. The Dean of the Oklahoma State University College of
2 Osteopathic Medicine, or a designee;

3 2. The Dean of the University of Oklahoma College of Medicine,
4 ~~or the Dean's~~ a designee ~~who shall receive an appointment in~~
5 ~~writing, as Chairman, and the;~~

6 3. The Commissioner of Public Safety, or a designee,~~the;~~

7 4. The Director of the Oklahoma State Bureau of Investigation,
8 ~~or a designee,~~~~the;~~

9 5. The State Commissioner of Health, or a designee,~~the;~~

10 6. The Director of the Council on Law Enforcement Education and
11 Training, or a designee,~~one;~~

12 7. One certified peace officer who is a member of a local law
13 enforcement agency selected by the Oklahoma Sheriffs and Peace
14 Officers Association ~~and one;~~ and

15 8. One person selected by the Oklahoma Association of Chiefs of
16 Police, ~~as members, to.~~

17 Members shall serve without pay other than reimbursement of
18 necessary and actual expenses as provided in the State Travel
19 Reimbursement Act. Each ~~designee~~ member shall receive an
20 appointment in writing which shall become a permanent part of the
21 records of the Board. The chair and vice-chair shall be elected
22 from the membership of the Board every two (2) years. The Board is
23 authorized to appoint a State Director of Tests for Alcohol and Drug
24 Influence, ~~an Administrative Assistant to the Board,~~ and other

1 employees, including, but not limited to, persons to conduct
2 training and provide administrative assistance as necessary for the
3 performance of its functions, subject to available funding and
4 authorized full-time equivalent employee limitations. The Board may
5 expend appropriated funds for purposes consistent with Sections 751
6 through 761 of this title and Sections 301 through 308 of Title 3 of
7 the Oklahoma Statutes. The Legislature shall appropriate funds to
8 the Department of Public Safety for the support of the Board of
9 Tests For Alcohol and Drug Influence and its employees, if any.
10 Upon the transfer of any employees from the Alcohol Drug
11 Countermeasures Unit of the Department of Public Safety to the Board
12 of Tests For Alcohol and Drug Influence on July 1, 2003, all funds
13 of the Unit appropriated and budgeted shall be transferred to the
14 Board, and may be budgeted and expended to support the functions and
15 personnel of the Board.

16 B. Collection and analysis of a person's blood, breath, saliva
17 or urine, to be considered valid and admissible in evidence, whether
18 performed by or at the direction of a law enforcement officer or at
19 the request of the tested person, shall have been performed in
20 compliance with the rules adopted by the Board of Tests for Alcohol
21 and Drug Influence and by an individual possessing a valid permit
22 issued by the Board for this purpose or shall have been performed by
23 a laboratory accredited in Toxicology by the American Society of
24 Crime Laboratory Directors/Laboratory Accreditation Board

1 (ASCLD/LAB) or accredited by the American Board of Forensic
2 Toxicology (ABFT).

3 C. The Board of Tests for Alcohol and Drug Influence is
4 authorized to approve laboratories for the analysis, provided by the
5 provisions of this title, of specimens of blood, breath, saliva and
6 urine, and to administer a program for regular monitoring of such
7 laboratories. The Board is authorized to prescribe uniform
8 standards and conditions for, and to approve satisfactory methods,
9 procedures, techniques, devices, equipment and records for tests and
10 analyses and to prescribe and approve the requisite education and
11 training for the performance of such tests and analyses. The Board
12 shall establish standards for and ascertain the qualifications and
13 competence of individuals to administer and conduct such tests and
14 analyses, and to issue permits to laboratories and to individuals
15 which shall be subject to suspension or revocation at the discretion
16 of the Board. The Board is authorized to prescribe uniform
17 standards, conditions, methods, procedures, techniques, devices,
18 equipment and records for the collection, handling, retention,
19 storage, preservation and delivery of specimens of blood, breath,
20 saliva and urine obtained for the purpose of determining the alcohol
21 concentration thereof or the presence or concentration of any other
22 intoxicating substance therein. The Board may take such other
23 actions as may be reasonably necessary or appropriate to effectuate
24 the purposes of Sections 751 through 761 of this title and Sections

1 301 through 308 of Title 3 of the Oklahoma Statutes, and may adopt,
2 amend and repeal such other rules consistent with this chapter as
3 the Board shall determine proper. Laboratories accredited in
4 Toxicology by the American Society of Crime Laboratory
5 Directors/Laboratory Accreditation Board (ASCLD/LAB) or accredited
6 by the American Board of Forensic Toxicology (ABFT) are exempt from
7 the provisions of this subsection.

8 D. The Board shall promulgate rules adopting uniform standards
9 and conditions and rules approving devices, equipment, methods,
10 procedures, techniques, and records for screening tests administered
11 for the purpose of determining the presence or concentration of
12 alcohol or any other intoxicating substance in a person's blood,
13 breath, saliva or urine. Such screening tests shall be performed in
14 compliance with the rules adopted by the Board of Tests for Alcohol
15 and Drug Influence.

16 E. The Board may set rules and charge appropriate fees for
17 operations incidental to its required duties and responsibilities.

18 ~~E.~~ F. There is hereby created in the State Treasury a revolving
19 fund for the Board of Tests for Alcohol and Drug Influence to be
20 designated the "Board of Tests for Alcohol and Drug Influence
21 Revolving Fund". The fund shall be a continuing fund, not subject
22 to fiscal year limitations, and shall consist of monies received
23 pursuant to the provisions of subsection ~~D~~ E of this section and any
24 funds previously deposited in the Board of Tests for Alcohol and

1 Drug Influence Revolving Fund. All monies accruing to the credit of
2 the fund are hereby appropriated and may be budgeted and expended by
3 the Board of Tests for Alcohol and Drug Influence for operating
4 expenses of the Board. Expenditures from the funds shall be made
5 upon warrants issued by the State Treasurer against claims filed as
6 prescribed by law with the Director of the Office of Management and
7 Enterprise Services for approval and payment.

8 SECTION 2. This act shall become effective July 1, 2015.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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14 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO, AND CONTROLLED
15 SUBSTANCES, dated 02/11/2015 - DO PASS.
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