Chapter 448-15 WAC
ADMINISTRATION OF BREATH ALCOHOL SCREENING TEST

WAC 448-15-010 Approval of devices.
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WAC 448-15-010 Approval of devices. The following preliminary breath test (PBT) instruments are approved for use in the state of Washington as breath alcohol screening devices, subject to the requirements outlined in the following sections:
- Alcosensor III (Intoximeters, St. Louis, MO).
- Alcosensor FST (Intoximeters, St. Louis, MO).
Any other instruments approved by the National Highway Traffic Safety Administration (NHTSA) will be considered for approval in Washington state on application to the state toxicologist, providing that a suitable program for maintenance, certification and operator training is also established and approved.


WAC 448-15-020 Use of test results. The devices described in WAC 448-15-010 are approved for use in establishing probable cause that a subject has consumed alcohol. For purposes of this section, valid results are considered those obtained from following the approved protocol, by a trained operator using an approved device which has been certified according to the rules described in WAC 448-15-030. Valid results will show to a reasonable degree of scientific certainty, the test subject's breath alcohol concentration. Valid results are suitable to assist in establishing probable cause to place a person under arrest for alcohol related offenses. These results may not be used on their own for determining, beyond a reasonable doubt, that a person's breath alcohol concentration exceeds a proscribed level such as anticipated under the 'per se' statutes for intoxication.

This preliminary breath test is voluntary, and participation in it does not constitute compliance with the implied consent statute (RCW 46.20.308).


WAC 448-15-030 Test protocol. The operator must perform the test according to the policies and procedures approved by the state toxicologist. The operator will perform the following test protocol:

1. The operator shall advise the subject that this is a voluntary test, and that it is not an alternative to any evidential breath alcohol test.

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