

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Bookout**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §5-65-204(b) TO
9 REQUIRE NO MORE THAN EIGHT (8) HOURS OF TRAINING TO BE
10 CERTIFIED TO OPERATE A MACHINE TO MAKE A CHEMICAL ANALYSIS
11 OF A PERSON_S BREATH TO DETERMINE ALCOHOL CONTENT; AND FOR
12 OTHER PURPOSES."

Subtitle

14 "TO REQUIRE NO MORE THAN 8 HOURS TRAINING TO OPERATE A
15 MACHINE TO MAKE A CHEMICAL ANALYSIS OF A PERSON_S BREATH
16 TO DETERMINE ALCOHOL CONTENT."

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Annotated §5-65-204(b) is hereby amended to
22 read as follows:

23 "(b) Chemical analyses of the person's blood, urine, or breath to be
24 considered valid under the provisions of this act shall have been performed
25 according to methods approved by the Arkansas State Department of Health or by
26 an individual possessing a valid permit issued by the State Department of
27 Health for this purpose. The State Department of Health is authorized to
28 approve satisfactory techniques or methods, to ascertain the qualifications
29 and competence of individuals to conduct such analyses, and to issue permits
30 which shall be subject to termination or revocation at the discretion of the
31 State Department of Health. However, the State Department of Health shall not
32 require more than eight (8) hours of training to obtain a permit to perform a
33 chemical analysis of a person_s breath with an approved and certified
34 machine."

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1 SECTION 2. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 3. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 4. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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