



State of Rhode Island and Providence Plantations  
**Department of State | Office of the Secretary of State**  
 Nellie M. Gorbea, *Secretary of State*

**Rules and Regulations Filing Form**

**1. Agency Name and Address**

**Department of Health**

Cannon Building Three Capitol Hill Providence

**2. Title of Rule**

Rules and Regulations Pertaining to Preliminary Breath Testing and Standards for the Determination of the Amount of Alcohol and/or Drugs in a Person's Blood by Chemical Analysis of the Breath, Blood and/or Urine or Other Bodily Substances

**3. Statutory Source of Authority**

Chapter 31-27 of the Rhode Island General Laws, as amended

**4. Concise Explanatory Statement - §42-35-2.3**

For the purpose of adopting approved preliminary breath testing instruments and procedures for testing evidential breath testing instruments, for reliable quantitative determinations and effective administrative practices to protect the safety and welfare of the public

**5. Type of Filing**

**Emergency Rules**

A1. Emergency 120-day initial - §42-35-3(b)

- Adoption
- Amendment of ERLID:
- Repeal of ERLID:

A2. Emergency 90-day renewal - §42-35-3(b)

- Adoption
- Amendment

Indicate ERLID of 120-day initial:

Brief Statement of Reason for Finding Imminent Peril §42-35-3(b)(2):

**Final Rules**

B1. Amendment

B2. Adoption

B3. Repeal

C. Technical Revision

Supersedes ERLID:

Repeals ERLID:

Expires ERLID:

If B1 or C, please indicate new, amended, deleted, or revised sections: section 3.2 (n); last filing on May 23, 2003

**6. Notice and Hearing Information**

Date of Public Notice - §42-35-3(a)(1):06/27/2003

Date of Public Hearing - §42-35-3(a)(2):07/29/2003

End of Comment Period:

**7. Agency Additional Information - Web Page**

http://

**8. Certification**

*I hereby certify that the attached rules and regulations were adopted in accordance with the Administrative Procedures Act (42-35) and that they are true copies of this Department, attest,*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Title

Subscribed and sworn before me

this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_