

DEPARTMENT OF STATE POLICE

SPECIAL OPERATIONS DIVISION

DRUNK DRIVING PREVENTION EQUIPMENT AND TRAINING FUND

(By authority conferred on the department of state police by section 625h of Act No. 300 of the Public Acts of 1949, as amended, being S257.625h of the Michigan Compiled Laws)

R 257.991 Definitions.

Rule 1. As used in these rules:

(a) "Act" means Act No. 300 of the Public Acts of 1949, as amended, being sect. 257.1 et seq. of the Michigan Compiled Laws.

(b) "Breath alcohol test instrument" means an evidential breath-testing device that indicates a specific breath alcohol concentration expressed as grams of alcohol per 210 liters of breath.

(c) "Department" means the department of state police.

(d) "Fund" means the drunk driving prevention equipment and training fund described in section 625h of the act.

(e) "Other breath alcohol test instrument" means a breath alcohol testing device which is used either alone or in conjunction with a breath alcohol test instrument and which may indicate either a specific breath alcohol concentration or the presence or absence of alcohol in the breath.

History: 1992 AACCS; 1997 AACCS.

R 257.992 Fund.

Rule 2. (1) The department shall allocate sufficient money from the fund to cover salaries and other necessary expenses to administer the fund.

(2) The department shall allocate fund money for the acquisition of all of the following:

(a) Breath alcohol test instruments.

(b) Other breath alcohol test instruments.

(c) Accessories and supplies for the instruments.

History: 1992 AACCS; 1997 AACCS.

R 257.993 Purchase of breath alcohol test instruments.

Rule 3. The department shall purchase, and retain ownership of, breath alcohol test instruments and shall distribute them as follows:

(a) To the Detroit metropolitan area as follows:

(i) One instrument to each county.

- (ii) One instrument to each Detroit police department precinct.
- (iii) One instrument to each lockup facility.
- (iv) One instrument to any location that has conducted a minimum of 100 tests for each current instrument in a 12-month period.
- (b) To the outstate area as follows:
 - (i) One instrument to each county.
 - (ii) One instrument to any location that has conducted a minimum of 250 tests for each current instrument in a 12-month period.
 - (iii) One instrument to each lockup facility.

History: 1992 AACS; 1997 AACS.

R 257.994 Maintenance of equipment.

Rule 4. The department shall contract for and pay for the maintenance of instruments that are purchased from the fund.

History: 1992 AACS.

R 257.995 Training.

Rule 5. The department shall coordinate instructor and operator training on the use of all instruments purchased from the fund. Fund monies may be used to pay for training if money is available after all instruments and maintenance contract costs are paid. Michigan law enforcement agencies other than the department shall pay all of the wages and benefits of the persons from their own agencies who attend training.

History: 1992 AACS; 1997 AACS.

R 257.996 Purchase of other breath alcohol test instruments.

Rule 6. (1) The department shall evaluate and designate other breath alcohol test instruments.

(2) The department may expend fund money as grants to law enforcement agencies for other breath alcohol test instruments, including the maintenance of the instruments. The following agencies may apply for other breath alcohol test instruments:

- (a) The department.
- (b) County sheriff departments.
- (c) Local law enforcement agencies.

(3) An agency shall submit an application for grant funding to the department on the form and in the manner prescribed by the department. The completed application shall contain all of the information required by the department.

(4) The department shall distribute other breath alcohol test instruments as follows:

- (a) A certified law enforcement agency that does not have any instruments shall receive at least 1 instrument.

(b) The ratio of distribution of fund money among the department, sheriff departments, and local agencies shall be based upon the ratio of marked patrol vehicles at the department, sheriff departments, and local agencies.

(c) The department shall allocate money from the fund each fiscal year for other breath alcohol test instruments.

History: 1992 AACS; 1997 AACS.