

INTERLOCKING DEVICE DEFINITIONS

Texas Administrative Code

TITLE 37
PART 1
CHAPTER 19
SUBCHAPTER B
RULE §19.26

PUBLIC SAFETY AND CORRECTIONS
TEXAS DEPARTMENT OF PUBLIC SAFETY
BREATH ALCOHOL TESTING REGULATIONS
TEXAS IGNITION INTERLOCK DEVICE REGULATION
Approval, Denial, and Withdrawal of Approval

(a) Upon proof of compliance with these regulations, and ignition interlock device will be approved by brand and/or model and will be placed on a list of approved devices. Notification of approval shall be made in writing to the manufacturer. It will be the responsibility of the manufacturer to provide proof that each individual device installed in any motor vehicle meets or exceeds the minimum standards of these regulations and is the same model and/or class approved by the scientific director. It will further be the responsibility of the manufacturer to provide expert or other required testimony in any civil or criminal proceedings as to the method of manufacture of the device, how said device functions, and the testing protocol by which the device was approved. In the event it should become necessary for the scientific director to provide testimony in any civil or criminal procedures involving the approval or use of the device, the manufacturer shall reimburse the department for any costs incurred in providing such testimony. Failure to provide this reimbursement shall result in withdrawal of approval for the device.

(b) The approval of a device may be denied or withdrawn by the scientific director if:

(1) the device, entity, or person fails to meet the requirement for approval under the Texas ignition interlock device regulations; or

(2) changes in IID technology are such that continued approval of the device would, as determined by the department, not be in the best interest of the state of Texas.

(c) The denial or withdrawal of an approval may be appealed to the director, Texas Department of Public Safety.

Source Note: The provisions of this §19.26 adopted to be effective June 29, 2000, 25 TexReg 6157