

# HOUSE BILL No. 1742

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-13-2-131; IC 9-13-2-151; IC 9-24-6-15; IC 9-30; IC 14-15-8; IC 35-33-1-6.

**Synopsis:** Blood alcohol level. Reduces from 0.10% to 0.08% the percentage of alcohol by weight in a person's blood or breath that is necessary to constitute prima facie evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated. Reduces the range of the percentage of alcohol by weight in a person's blood or breath to at least 0.05% but less than 0.08% that is necessary to constitute relevant evidence of intoxication in a prosecution for operating a motor vehicle or watercraft while intoxicated. (Current law provides that the range for relevant evidence of intoxication is at least 0.05% but less than 0.10%.) Makes conforming amendments.

**Effective:** July 1, 1999.

---

---

**Welch, Becker, Brown T, Kruse**

---

---

January 26, 1999, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

---

---

C  
O  
P  
Y



First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

C  
O  
P  
Y

## HOUSE BILL No. 1742



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-13-2-131 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 131. "Prima facie  
3 evidence of intoxication" includes evidence that at the time of an  
4 alleged violation there was at least ~~ten-hundredths~~ **eight-hundredths**  
5 percent ~~(0.10%)~~ **(0.08%)** of alcohol by weight in grams in:

- 6 (1) one hundred (100) milliliters of the person's blood; or
- 7 (2) two hundred ten (210) liters of the person's breath.

8 SECTION 2. IC 9-13-2-151 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 151. "Relevant  
10 evidence of intoxication" includes evidence that at the time of an  
11 alleged violation there was at least five-hundredths percent (0.05%),  
12 but less than ~~ten-hundredths~~ **eight-hundredths** percent ~~(0.10%)~~  
13 **(0.08%)** of alcohol by weight in grams in:

- 14 (1) one hundred (100) milliliters of the person's blood; or
- 15 (2) two hundred ten (210) liters of the person's breath.

16 SECTION 3. IC 9-24-6-15 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15. A person who



operates a commercial motor vehicle with at least four-hundredths percent (0.04%) but less than ~~ten-hundredths~~ **eight-hundredths** percent (~~0.10%~~) **(0.08%)** of alcohol by weight in grams in:

- (1) one hundred (100) milliliters of the person's blood; or
- (2) two hundred ten (210) liters of the person's breath;

commits a Class C infraction.

SECTION 4. IC 9-30-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) A person who operates a vehicle with at least ~~ten-hundredths~~ **eight-hundredths** percent (~~0.10%~~) **(0.08%)** of alcohol by weight in grams in:

- (1) one hundred (100) milliliters of the person's blood; or
- (2) two hundred ten (210) liters of the person's breath;

commits a Class C misdemeanor.

(b) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's body commits a Class C misdemeanor.

(c) It is a defense to subsection (b) that the accused person consumed the controlled substance under a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice.

SECTION 5. IC 9-30-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) A person who causes serious bodily injury to another person when operating a motor vehicle:

- (1) with at least ~~ten-hundredths~~ **eight-hundredths** percent (~~0.10%~~) **(0.08%)** of alcohol by weight in grams in:

- (A) one hundred (100) milliliters of the person's blood; or
- (B) two hundred ten (210) liters of the person's breath;

- (2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's body; or

- (3) while intoxicated;

commits a Class D felony. However, the offense is a Class C felony if, within the five (5) years preceding the commission of the offense, the person had a prior unrelated conviction under this chapter.

(b) A person who violates subsection (a) commits a separate offense for each person whose serious bodily injury is caused by the violation of subsection (a).

(c) It is a defense under subsection (a)(2) that the accused person consumed the controlled substance under a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice.

SECTION 6. IC 9-30-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) A person who causes the

C  
O  
P  
Y



1 death of another person when operating a motor vehicle:

2 (1) with at least ~~ten-hundredths~~ **eight-hundredths** percent  
3 (~~0.10%~~) **(0.08%)** of alcohol by weight in grams in:

4 (A) one hundred (100) milliliters of the person's blood; or

5 (B) two hundred ten (210) liters of the person's breath;

6 (2) with a controlled substance listed in schedule I or II of  
7 IC 35-48-2 or its metabolite in the person's blood; or

8 (3) while intoxicated;

9 commits a Class C felony. However, the offense is a Class B felony if,  
10 within the five (5) years preceding the commission of the offense, the  
11 person had a prior unrelated conviction under this chapter.

12 (b) A person who violates subsection (a) commits a separate offense  
13 for each person whose death is caused by the violation of subsection  
14 (a).

15 (c) It is a defense under subsection (a)(2) that the accused person  
16 consumed the controlled substance under a valid prescription or order  
17 of a practitioner (as defined in IC 35-48-1) who acted in the course of  
18 the practitioner's professional practice.

19 SECTION 7. IC 9-30-5-8.5 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8.5. (a) A person who:

21 (1) is less than twenty-one (21) years of age; and

22 (2) operates a vehicle with at least two-hundredths percent  
23 (0.02%) but less than ~~ten-hundredths~~ **eight-hundredths** percent  
24 (~~0.10%~~) **(0.08%)** of alcohol by weight in grams in:

25 (A) one hundred (100) milliliters of the person's blood; or

26 (B) two hundred ten (210) liters of the person's breath;

27 commits a Class C infraction.

28 (b) In addition to the penalty imposed under this section, the court  
29 may recommend the suspension of the driving privileges of the  
30 operator of the vehicle for not more than one (1) year.

31 SECTION 8. IC 9-30-6-15 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15. (a) At any  
33 proceeding concerning an offense under IC 9-30-5 or a violation under  
34 IC 9-30-15, evidence of the amount by weight of alcohol that was in the  
35 blood of the person charged with the offense:

36 (1) at the time of the alleged violation; or

37 (2) within the time allowed for testing under section 2 of this  
38 chapter;

39 as shown by an analysis of the person's breath, blood, urine, or other  
40 bodily substance is admissible.

41 (b) If, in a prosecution for an offense under IC 9-30-5, evidence  
42 establishes that:



C  
O  
P  
Y

1 (1) a chemical test was performed on a test sample taken from the  
 2 person charged with the offense within the period of time allowed  
 3 for testing under section 2 of this chapter; and

4 (2) the person charged with the offense had at least  
 5 ~~ten-hundredths~~ **eight-hundredths** percent (~~0.10%~~) (**0.08%**) of  
 6 alcohol by weight in grams in:

7 (A) one hundred (100) milliliters of the person's blood at the  
 8 time the test sample was taken; or

9 (B) two hundred ten (210) liters of the person's breath;

10 the trier of fact shall presume that the person charged with the offense  
 11 had at least ~~ten-hundredths~~ **eight-hundredths** percent (~~0.10%~~)  
 12 (**0.08%**) of alcohol by weight in grams in one hundred (100) milliliters  
 13 of the person's blood or in two hundred ten (210) liters of the person's  
 14 breath at the time the person operated the vehicle. However, this  
 15 presumption is rebuttable.

16 (c) If evidence in an action for a violation under IC 9-30-5-8.5  
 17 establishes that:

18 (1) a chemical test was performed on a test sample taken from the  
 19 person charged with the violation within the time allowed for  
 20 testing under section 2 of this chapter; and

21 (2) the person charged with the violation:

22 (A) was less than twenty-one (21) years of age at the time of  
 23 the alleged violation; and

24 (B) had at least two-hundredths percent (0.02%) of alcohol by  
 25 weight in grams in:

26 (i) one hundred (100) milliliters of the person's blood; or

27 (ii) two hundred ten (210) liters of the person's breath;

28 at the time the test sample was taken;

29 the trier of fact shall presume that the person charged with the violation  
 30 had at least two-hundredths percent (0.02%) of alcohol by weight in  
 31 grams in one hundred (100) milliliters of the person's blood or in two  
 32 hundred ten (210) liters of the person's breath at the time the person  
 33 operated the vehicle. However, the presumption is rebuttable.

34 (d) If, in an action for a violation under IC 9-30-15, evidence  
 35 establishes that:

36 (1) a chemical test was performed on a test sample taken from the  
 37 person charged with the offense within the time allowed for  
 38 testing under section 2 of this chapter; and

39 (2) the person charged with the offense had at least  
 40 four-hundredths percent (0.04%) of alcohol by weight in grams  
 41 in:

42 (A) one hundred (100) milliliters of the person's blood; or

C  
O  
P  
Y



1 (B) two hundred ten (210) liters of the person's breath;  
 2 at the time the test sample was taken;  
 3 the trier of fact shall presume that the person charged with the offense  
 4 had at least four-hundredths percent (0.04%) of alcohol by weight in  
 5 grams in one hundred (100) milliliters of the person's blood or in two  
 6 hundred ten (210) liters of the person's breath at the time the person  
 7 operated the vehicle. However, this presumption is rebuttable.

8 SECTION 9. IC 9-30-10-4 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) A person who has  
 10 accumulated at least two (2) judgments within a ten (10) year period  
 11 for any of the following violations, singularly or in combination, not  
 12 arising out of the same incident, and with at least one (1) violation  
 13 occurring after March 31, 1984, is a habitual violator:

14 (1) Reckless homicide resulting from the operation of a motor  
 15 vehicle.

16 (2) Voluntary or involuntary manslaughter resulting from the  
 17 operation of a motor vehicle.

18 (3) Failure of the driver of a motor vehicle involved in an accident  
 19 resulting in death or injury to any person to stop at the scene of  
 20 the accident and give the required information and assistance.

21 (4) Operation of a vehicle while intoxicated resulting in death.

22 (5) Before July 1, 1997, operation of a vehicle with at least  
 23 ten-hundredths percent (0.10%) alcohol in the blood resulting in  
 24 death.

25 (6) After June 30, 1997, **and before July 1, 1999**, operation of a  
 26 vehicle with at least ten-hundredths percent (0.10%) of alcohol by  
 27 weight in grams in:

28 (A) one hundred (100) milliliters of the blood; or

29 (B) two hundred ten (210) liters of the breath;

30 resulting in death.

31 **(7) After June 30, 1999, operation of a vehicle with at least**  
 32 **eight-hundredths percent (0.08%) of alcohol by weight in**  
 33 **grams in:**

34 **(A) one hundred (100) milliliters of the blood; or**

35 **(B) two hundred ten (210) liters of the breath;**

36 **resulting in death.**

37 (b) A person who has accumulated at least three (3) judgments  
 38 within a ten (10) year period for any of the following violations,  
 39 singularly or in combination, not arising out of the same incident, and  
 40 with at least one (1) violation occurring after March 31, 1984, is a  
 41 habitual violator:

42 (1) Operation of a vehicle while intoxicated.



C  
O  
P  
Y

1 (2) Before July 1, 1997, operation of a vehicle with at least  
2 ten-hundredths percent (0.10%) alcohol in the blood.

3 (3) After June 30, 1997, **and before July 1, 1999**, operation of a  
4 vehicle with at least ten-hundredths percent (0.10%) of alcohol by  
5 weight in grams in:

6 (A) one hundred (100) milliliters of the blood; or

7 (B) two hundred ten (210) liters of the breath.

8 **(4) After June 30, 1999, operation of a vehicle with at least**  
9 **eight-hundredths percent (0.08%) of alcohol by weight in**  
10 **grams in:**

11 (A) **one hundred (100) milliliters of the blood; or**

12 (B) **two hundred ten (210) liters of the breath.**

13 ~~(4)~~ (5) Operating a motor vehicle while the person's license to do  
14 so has been suspended or revoked as a result of the person's  
15 conviction of an offense under IC 9-1-4-52 (repealed July 1,  
16 1991) or IC 9-24-18-5(b).

17 ~~(5)~~ (6) Operating a motor vehicle without ever having obtained a  
18 license to do so.

19 ~~(6)~~ (7) Reckless driving.

20 ~~(7)~~ (8) Criminal recklessness involving the operation of a motor  
21 vehicle.

22 ~~(8)~~ (9) Drag racing or engaging in a speed contest in violation of  
23 law.

24 ~~(9)~~ (10) Violating IC 9-4-1-40 (repealed July 1, 1991),  
25 IC 9-4-1-46 (repealed July 1, 1991), IC 9-26-1-1(1),  
26 IC 9-26-1-1(2), IC 9-26-1-1(4), IC 9-26-1-2(1), IC 9-26-1-2(2),  
27 IC 9-26-1-3, or IC 9-26-1-4.

28 ~~(10)~~ (11) Any felony under an Indiana motor vehicle statute or  
29 any felony in the commission of which a motor vehicle is used.

30 A judgment for a violation enumerated in subsection (a) shall be added  
31 to the violations described in this subsection for the purposes of this  
32 subsection.

33 (c) A person who has accumulated at least ten (10) judgments  
34 within a ten (10) year period for any traffic violation, except a parking  
35 or an equipment violation, of the type required to be reported to the  
36 bureau, singularly or in combination, not arising out of the same  
37 incident, and with at least one (1) violation occurring after March 31,  
38 1984, is a habitual violator. However, at least one (1) of the judgments  
39 must be for a violation enumerated in subsection (a) or (b). A judgment  
40 for a violation enumerated in subsection (a) or (b) shall be added to the  
41 judgments described in this subsection for the purposes of this  
42 subsection.



C  
O  
P  
Y

1 SECTION 10. IC 9-30-10-9 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) If a court finds  
 3 that a person:

- 4 (1) is a habitual violator under section 4(c) of this chapter;  
 5 (2) has not been previously placed on probation under this section  
 6 by a court;  
 7 (3) operates a vehicle for commercial or business purposes, and  
 8 the person's mileage for commercial or business purposes:  
 9 (A) is substantially in excess of the mileage of an average  
 10 driver; and  
 11 (B) may have been a factor that contributed to the person's  
 12 poor driving record; and  
 13 (4) does not have:  
 14 (A) a judgment for a violation enumerated in section 4(a) of  
 15 this chapter; or  
 16 (B) at least three (3) judgments (singularly or in combination  
 17 and not arising out of the same incident) of the violations  
 18 enumerated in section 4(b) of this chapter;

19 the court may place the person on probation in accordance with  
 20 subsection (c).

21 (b) If a court finds that a person:

- 22 (1) is a habitual violator under section 4(b) of this chapter;  
 23 (2) has not been previously placed on probation under this section  
 24 by a court;  
 25 (3) does not have a judgment for any violation listed in section  
 26 4(a) of this chapter;  
 27 (4) has had the person's driving privileges suspended under this  
 28 chapter for at least five (5) consecutive years; and  
 29 (5) has not violated the terms of the person's suspension by  
 30 operating a vehicle;

31 the court may place the person on probation in accordance with  
 32 subsection (c). However, if the person has any judgments for **the**  
 33 operation of a vehicle **before July 1, 1999**, while intoxicated or with  
 34 at least ten-hundredths percent (0.10%) alcohol by weight in grams in  
 35 one hundred (100) milliliters of the blood, or two hundred ten (210)  
 36 liters of the breath, **or for the operation of a vehicle after June 30,**  
 37 **1999, while intoxicated or with at least eight-hundredths percent**  
 38 **(0.08%) alcohol by weight in grams in one hundred (100) milliliters**  
 39 **of the blood or two hundred ten (210) liters of the breath**, the court,  
 40 before the court places a person on probation under subsection (c),  
 41 must find that the person has successfully fulfilled the requirements of  
 42 a rehabilitation program certified by the division of mental health.



C  
O  
P  
Y

1 (c) Whenever a court places a habitual violator on probation, the  
2 court:

3 (1) shall record each of the court's findings under this section in  
4 writing;

5 (2) shall obtain the person's driver's license or permit and send the  
6 license or permit to the bureau;

7 (3) shall direct the person to apply to the bureau for a restricted  
8 driver's license;

9 (4) shall order the bureau to issue the person an appropriate  
10 license;

11 (5) shall place the person on probation for a fixed period of not  
12 less than three (3) years and not more than ten (10) years;

13 (6) shall attach restrictions to the person's driving privileges,  
14 including restrictions limiting the person's driving to:

15 (A) commercial or business purposes or other employment  
16 related driving;

17 (B) specific purposes in exceptional circumstances; and

18 (C) rehabilitation programs;

19 (7) shall order the person to file proof of financial responsibility  
20 for three (3) years following the date of being placed on  
21 probation; and

22 (8) may impose other appropriate conditions of probation.

23 (d) If a court finds that a person:

24 (1) is a habitual violator under section 4(b) or 4(c) of this chapter;

25 (2) does not have any judgments for violations under section 4(a)  
26 of this chapter;

27 (3) does not have any judgments or convictions for violations  
28 under section 4(b) of this chapter, except for judgments or  
29 convictions under section 4(b)(3) of this chapter that resulted  
30 from driving on a suspended license that was suspended for:

31 (A) the commission of infractions only; or

32 (B) previously driving on a suspended license;

33 (4) has not been previously placed on probation under this section  
34 by a court; and

35 (5) has had the person's driving privileges suspended under this  
36 chapter for at least three (3) consecutive years and has not  
37 violated the terms of the person's suspension by operating a  
38 vehicle for at least three (3) consecutive years;

39 the court may place the person on probation under subsection (c).

40 SECTION 11. IC 14-15-8-5 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. As used in this  
42 chapter, "prima facie evidence of intoxication" includes evidence that

C  
O  
P  
Y



1 at the time of an alleged violation there was at least ~~ten-hundredths~~  
2 **eight-hundredths** percent (~~0.10%~~) (**0.08%**) of alcohol by weight in  
3 grams in:

- 4 (1) one hundred (100) milliliters of the person's blood; or
- 5 (2) two hundred ten (210) liters of the person's breath.

6 SECTION 12. IC 14-15-8-6 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. As used in this  
8 chapter, "relevant evidence" includes evidence that at the time of the  
9 alleged violation there was:

- 10 (1) at least five-hundredths percent (0.05%); and
- 11 (2) less than ~~ten-hundredths~~ **eight-hundredths** percent (~~0.10%~~);  
12 **(0.08%)**;

13 of alcohol by weight in grams in  
14 (1) one hundred (100) milliliters of the person's blood or  
15 (2) two hundred ten (210) liters of the person's breath.

16 SECTION 13. IC 14-15-8-8 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) Except as  
18 provided in subsections (b) and (c), a person who operates a motorboat:

- 19 (1) with at least ~~ten-hundredths~~ **eight-hundredths** percent  
20 (~~0.10%~~) (**0.08%**) of alcohol by weight in grams in:  
21 (A) one hundred (100) milliliters of the person's blood; or  
22 (B) two hundred ten (210) liters of the person's breath; or  
23 (2) while intoxicated;

24 commits a Class C misdemeanor.

- 25 (b) The offense is a Class D felony if:  
26 (1) the person has a previous conviction under:  
27 (A) IC 14-1-5 (repealed); or  
28 (B) this chapter; or

- 29 (2) the offense results in serious bodily injury to another person.

30 (c) The offense is a Class C felony if the offense results in the death  
31 of another person.

32 SECTION 14. IC 35-33-1-6 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. A law enforcement  
34 agency may use the following chart to determine the minimum number  
35 of hours that a person arrested for an alcohol-related offense should be  
36 detained before his release pending trial:

37 PERCENTAGE  
38 BLOOD OR BREATH ALCOHOL LEVEL IS TAKEN  
39 HOURS AFTER INITIAL READING  
40  
41  
42

PERCENTAGE	1	2	3	4	5	6	7	8	9	10	11	12	13	14
BLOOD OR BREATH ALCOHOL LEVEL	.09	.075	.06	.045	.03	.015	.00	.000	.00	.000	.00	.000	.00	.000

C  
O  
P  
Y



1	<b>.10</b>	<b>.085</b>	<b>.07</b>	<b>.055</b>	<b>.04</b>	<b>.025</b>	<b>.01</b>	<b>.000</b>	<b>.00</b>	<b>.000</b>	<b>.00</b>	<b>.000</b>	<b>.00</b>	<b>.000</b>	<b>.00</b>
2	.11	.095	.08	.065	.05	.035	.02	.005	.00	.000	.00	.000	.00	.000	.00
3	.12	.105	.09	.075	.06	.045	.03	.015	.00	.000	.00	.000	.00	.000	.00
4	.13	.115	.10	.085	.07	.055	.04	.025	.01	.000	.00	.000	.00	.000	.00
5	.14	.125	.11	.095	.08	.065	.05	.035	.02	.005	.00	.000	.00	.000	.00
6	.15	.135	.12	.105	.09	.075	.06	.045	.03	.015	.00	.000	.00	.000	.00
7	.16	.145	.13	.115	.10	.085	.07	.055	.04	.025	.01	.000	.00	.000	.00
8	.17	.155	.14	.125	.11	.095	.08	.065	.05	.035	.02	.005	.00	.000	.00
9	.18	.165	.15	.135	.12	.105	.09	.075	.06	.045	.03	.015	.00	.000	.00
10	.19	.175	.16	.145	.13	.115	.10	.085	.07	.055	.04	.025	.01	.000	.00
11	.20	.185	.17	.155	.14	.125	.11	.095	.08	.065	.05	.035	.02	.005	.00
12	.21	.195	.18	.165	.15	.135	.12	.105	.09	.075	.06	.045	.03	.015	.00
13	.22	.205	.19	.175	.16	.145	.13	.115	.10	.085	.07	.055	.04	.025	.01
14	.23	.215	.20	.185	.17	.155	.14	.125	.11	.095	.08	.065	.05	.035	.02
15	.24	.225	.21	.195	.18	.165	.15	.135	.12	.105	.09	.075	.06	.045	.03
16	.25	.235	.22	.205	.19	.175	.16	.145	.13	.115	.10	.085	.07	.055	.04
17	.26	.245	.23	.215	.20	.185	.17	.155	.14	.125	.11	.095	.08	.065	.05

18 Note: In order to find when a person will reach the legal blood or  
 19 breath alcohol level, find the blood or breath alcohol level reading in  
 20 the left hand column, go across and find where the blood or breath  
 21 alcohol level reading is below ~~10%~~, **eight-hundredths percent**  
 22 **(0.08%)**, then read up that column to find the minimum number of  
 23 hours before the person can be released.

C  
o  
p  
y

