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**TITLE 260 STATE DEPARTMENT OF TOXICOLOGY**

**Notice of Intent to Adopt a Rule**

LSA Document #10-610

Under [IC 4-22-2-23](#), the State Department of Toxicology intends to adopt a rule concerning the following:

**OVERVIEW:** This rulemaking action will amend 260 IAC by adding the Intoximeter EC/IR II as conforming technology under [260 IAC 1.1-4-9](#). This will provide for the addition of a new breath test instrument to be used by law enforcement agencies in the state of Indiana and will set forth the applicable procedures for its use. Effective 30 days after filing with the Publisher. Questions may be directed to the Small Business Regulatory Coordinator for this rule. Statutory authority: [IC 9-30-6-5](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Scott Newman, J.D.  
Special Assistant to the Dean  
Indiana University School of Medicine  
Indiana State Department of Toxicology  
550 West 16th Street  
Indianapolis, IN 46202  
(317) 274-7825  
sconewma@iupui.edu

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-5](#) is:

Ryan Asberry  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 232-8962  
smallbizombudsman@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-5](#), specifically [IC 5-28-17-5\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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