§40.213

QUESTION:

Is error correction training required if an alcohol test is cancelled due to equipment failure?

ANSWER:

• Normally, equipment failure will not require the BAT to have error correction training.

• However, if it is determined that the equipment failure was related to the BAT's failure to properly maintain equipment (e.g., the EBT), error correction training would be in order.

• In addition, error correction would be required if the BAT does not attempt to accomplish the test following equipment failure using another device – provided that another device was reasonably available.