

TRANSPORT SAFETY

The Preliminary Breath Test Device Approval 2008

The Secretary of State, in exercise of the powers conferred upon her by section 6A of the Road Traffic Act 1988 (a) ("the 1988 Act"), hereby approves as from 30 April 2008, for the purpose of preliminary breath tests as defined in that section and, in exercise of the powers conferred upon her by section 38(1) of the Transport and Works Act 1992 (b) ("the 1992 Act"), hereby approves as from 30 April 2008, for the purpose of breath tests required under section 29 of the 1992 Act, each of the types of device set out in the Schedule for use by police forces in England, Wales and Scotland. (This approval extends to use for the purposes of section 6A of the 1988 Act as that section applies in relation to certain offences in Parts 4 and 5 of the Railways and Transport Safety Act 2003 (c) ("the 2003 Act") by virtue of sections 83 and 96 of the 2003 Act).

Vernon Coaker

Vernon Coaker
Parliamentary Under-Secretary of State

Home Office
30th April 2008

SCHEDULE

The device known as the **Draeger Alcotest 6810 GB** manufactured by **Draeger Safety AG & Co**

The device known as the **Lion Alcometer 500 B** manufactured by **Lion Laboratories Limited**

The device known as the **Envitec AlcoQuant 6020** manufactured by **EnviteC Wismar GmbH**

EXPLANATORY NOTE

(This is not part of the Approval)

Section 6 and 6A of the Road Traffic Act 1988 and section 29 of the Transport and Works Act 1992 (“the 1992 Act”) empower a constable, in specified circumstances, to require a person to provide a specimen of breath for the purpose of obtaining, by means of a device type approved by the Secretary of State, an indication whether the proportion of alcohol in the person’s breath is likely to exceed the prescribed limit. This approval approves as from 30 April 2008 the devices known as the Draeger Alcotest 6810 GB, the Lion Alcometer 500 B and the Envitec AlcoQuant 6020 as a means by which such preliminary breath tests can be carried out.

Section 83 and 96 of the Railways and Transport Safety Act 2003 apply section 6 and 6A of the Road Traffic Act 1988 to certain offences in Parts 4 and 5 of the 2003 Act, namely those under section 78 (shipping: professional staff on duty), section 79 (shipping: professional staff off duty), section 80 (shipping: non-professionals), section 92 (aviation: being unfit for duty) and section 93 (aviation: prescribed limit). This approval therefore applies to the use of the devices specified in the Schedule for the purpose of taking preliminary breath tests in relation to these offences.

- (a) 1988 c.52; section 6A was inserted by paragraph 1 of Schedule 7 to the Railways and Transport Safety Act 2003 (c.20).
 - (b) 1992 c. 42.
 - (c) 2003 c.20.
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