



## Official Rulemaking Record

**Title:** Proposed Expedited Permanent Rules Relating to Approved Intoxication Screening Devices

**Division:** Bureau of Criminal Apprehension

**Revisor's ID Number:** R-4936

**CAH Docket Number:** 21-9018-41242

**Effective date:** December 22, 2025

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This file contains the official rulemaking record for the department's rule on intoxication-screening devices under Minnesota Rules, chapter 7501. The department is required to maintain this record under Minnesota Statutes, section 14.365.

**1. *State Register* publications:**

- a. Proposed Expedited Permanent Rules
- b. Notice of Adoption

**2. Report of administrative law judge**

**3. Proposed rules submitted to administrative law judge**

**4. Documents required by Court of Administrative Hearings rules**

**5. Department order adopting rules**

**6. The revisor's certificate approving the form of the rule**

**7. The adopted rule as filed with the secretary of state**

Questions on the rulemaking record can be directed to [\*\*dps.rulemaking@state.mn.us\*\*](mailto:dps.rulemaking@state.mn.us)

# Exempt Rules

## 5221.4060 CHIROPRACTIC PROCEDURE CODES.

*[For text of subparts 1 to 2c, see Minnesota Rules]*

Subp. 2d. **List of chiropractic procedure codes.** The chiropractic conversion factor in part 5221.4020, subpart 1b, item B, applies to the health care providers listed in part 5221.0700, subpart 3, item C, subitem (5), when they provide, within their scope of practice, services, articles, or supplies identified by any of the following procedure codes in the Medicare Physician Fee Schedule tables described in part 5221.4005:

*[For text of items A to E, see Minnesota Rules]*

F. procedure code codes 99199 (special service) and G0283; and

G. acupuncture codes 97810 to 97814.

*[For text of subparts 3 and 4, see Minnesota Rules]*

**EFFECTIVE DATE.** The amendments to Minnesota Rules, parts 5221.4020, 5221.4030, 5221.4033, 5221.4050, and 5221.4060, are effective for services provided on or after October 1, 2025.

## Expedited Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for normal rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the conditions. Expedited rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain conditions.

Expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited rules detail the agency's rulemaking authority.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."  
**Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Minnesota Department of Public Safety

### Bureau of Criminal Apprehension

### Proposed Expedited Permanent Rules Relating to Approved Intoxication Screening Devices; Notice of Intent to Adopt Expedited Rules without a Public Hearing

**Proposed Amendment to Rules Relating to Approved Intoxication Screening Devices, *Minnesota Rules*, 7501.0900; Revisor's ID Number RD4936**

**Introduction.** The Minnesota Department of Public Safety intends to adopt rules under the expedited rulemaking process following the rules of the Court of Administrative Hearings, Minnesota Rules, part 1400.2410, and the Administrative Procedure Act, Minnesota Statutes, section 14.389. You may submit written comments on the proposed expedited rules until **4:30 p.m. on Friday, October 24, 2025.**

**Subject of the Expedited Rules.** The proposed expedited rules pertain to the detection of alcohol intoxication, adding two devices to the list of approved devices.

**Statutory Authority.** The statutory authority to adopt these rules is Minnesota Statutes 169A.75

The statutory authority to adopt the rules under the expedited rulemaking process is Minnesota Statutes 169A.75(c).

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# Expedited Rules

**Publication of proposed rules.** A copy of the proposed rules is published in the *State Register* and enclosed with this notice.

**Agency Contact Person.** The agency contact person is **Staci Bennett; Assistant Laboratory Director; Department of Public Safety, Bureau of Criminal Apprehension; 1430 Maryland Avenue E., St. Paul, MN 55106; 651-793-2980; staci.bennett@state.mn.us.** You may contact the agency contact person with questions about the rules.

**Public Comment.** You have until **4:30 p.m. on Friday, October 24, 2025**, to submit written comment in support of or in opposition to the proposed expedited rules and any part or subpart of the rules.

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed expedited rules affect you in any way, the agency encourages you to participate in the rulemaking process.

Submit written comments to the agency contact person, listed above.

All comments or responses received are public data and will be available for review at the Department of Public Safety, Bureau of Criminal Apprehension.

**Modifications.** The agency may modify the proposed expedited rules using either of two avenues: The agency may modify the rules directly so long as the modifications do not make them substantially different as defined in Minnesota Statutes, section 14.05, subdivision 2, paragraphs (b) and (c). Or the agency may adopt substantially different rules if it follows the procedure under Minnesota Rules, part 1400.2110. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adoption in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

**Adoption and Review of Expedited Rules.** The agency may adopt the rules at the end of the comment period. The agency will then submit rules and supporting documents to the Court of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. If you want to be so notified or want to receive a copy of the adopted rules or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Lobbyist Registration.** Minnesota Statutes, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 18006573889.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Date: September 12, 2025

Bob Jacobson  
Commissioner

## 7501.0900 LIST OF APPROVED SCREENING DEVICES.

The following screening devices are approved for use in this state:

Manufacturer	Model
Intoximeters, Inc.	Alco Sensor

# Expedited Rules

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Manufacturer	Model
Intoximeters, Inc.	Alco Sensor III
Intoximeters, Inc.	Alco Sensor IV
Intoximeters, Inc.	RBT IV (Alco Sensor IV with RBT printer microprocessor)
Intoximeters, Inc.	Alco Sensor FST
Intoximeters, Inc.	Alco Sensor V XL
Lion Laboratories, Ltd.	S-L2
Lion Laboratories, Ltd.	S-L2s
CMI, Inc.	S-D2
CMI, Inc.	S-D5
<u>CMI, Inc.</u>	<u>Intoxilyzer 800</u>
Lifeloc Technologies, Inc.	FC10
Lifeloc Technologies, Inc.	FC10Plus
Lifeloc Technologies, Inc.	FC20
Draeger Safety Diagnostics, Inc.	Alcotest 6510
Draeger Safety Diagnostics, Inc.	Alcotest 5510
Draeger Safety Diagnostics, Inc.	Alcotest 6820
<u>Draeger Safety Diagnostics, Inc.</u>	<u>Alcotest 6000</u>
Alcohol Countermeasure Systems Corp.	Alert J5
Alcohol Countermeasure Systems Corp.	Alert J4X

## Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the Constitution of the State of Minnesota, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Office of the Governor

### Executive Order 25-10: Empowering State Agencies to Continue Combatting Fraud

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following executive order:

Fraud perpetrated against the State is unacceptable and my administration will not tolerate the abuse or misuse of public funds. The State oversees a number of public programs intended to help our most vulnerable populations, including people with disabilities, those with housing insecurity, and children who need medical assistance services. We have seen ever-evolving criminal schemes focused on taking advantage of Minnesota's programs and our culture of generosity. These criminal activities erode public trust and take from those who need the most support.

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# Expedited Rules

F. A pressure test must:

- (1) be conducted by a well contractor, bonded mechanical contractor, or licensed plumber;
- (2) be witnessed by a third party who is a ~~Department of Health inspector, licensed professional engineer, licensed plumber, or bonded mechanical contractor;~~
  - (a) Department of Health inspector;
  - (b) licensed professional engineer;
  - (c) licensed plumber;
  - (d) well contractor;
  - (e) certified building official;
  - (f) bonded mechanical contractor;
  - (g) accredited installer or certified geothermal inspector certified by the International Ground Source Heat Pump Association; or
  - (h) ground source heat pump system verification and inspection professional certified by the CSA Group;  
*[For text of subitems (3) to (5), see Minnesota Rules]*  
*[For text of items G and H, see Minnesota Rules]*

I. A pressure test record must include:

- [For text of subitems (1) to (4), see Minnesota Rules]*
- (5) the hydrostatic pressure ~~on the SCLHE unit~~ of the SCLHE system as measured at or above the ground surface; and  
*[For text of subitem (6), see Minnesota Rules]*  
*[For text of item J, see Minnesota Rules]*  
*[For text of subpart 5, see Minnesota Rules]*

## Department of Public Safety

### Adopted Expedited Permanent Rules Relating to Approved Intoxication Screening Devices

The rules proposed and published at State Register, Volume 50, Number 12, pages 302-304, September 22, 2025 (50 SR 302), are adopted as proposed.

STATE OF MINNESOTA  
COURT OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Expedited  
Rules Relating to Approved Intoxication  
Screening Devices (R-4936)

**ORDER ON REVIEW  
OF RULES UNDER  
MINN. STAT. § 14.389  
AND MINN. R. 1400.2410**

On November 19 and 24, 2025, the Minnesota Department of Public Safety (Department) filed documents with the Court of Administrative Hearings (CAH) seeking review and approval of these rules under Minn. Stat. § 14.389 (2024) and Minn. R. 1400.2410 (2025).

Based upon a review of the written submissions by the Department, and the contents of the rulemaking record,

**IT IS HEREBY DETERMINED THAT:**

1. The proposed rules were adopted in compliance with the procedural requirements of Minnesota Statutes, chapter 14 (2024), and Minnesota Rules, chapter 1400 (2025).
2. According to Minn. Stat. § 169A.75(c) (2024), the Department has the statutory authority to adopt these proposed rules using the expedited rulemaking process.

**IT IS HEREBY ORDERED THAT:**

The proposed rule parts are **APPROVED**.

Dated: November 25, 2025

  
KIMBERLY MIDDENDORF  
Administrative Law Judge

# Office of the Revisor of Statutes

## Administrative Rules



**TITLE:** Proposed Expedited Permanent Rules Relating to Approved Intoxication Screening Devices

**AGENCY:** Department of Public Safety

**REVISOR ID:** R-4936

**MINNESOTA RULES:** Chapter 7501

The attached rules are approved for  
publication in the State Register

*Karen L Lenertz*

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Karen L. Lenertz  
Deputy Revisor

1.1 **Department of Public Safety**1.2 **Proposed Expedited Permanent Rules Relating to Approved Intoxication Screening**  
1.3 **Devices**1.4 **7501.0900 LIST OF APPROVED SCREENING DEVICES.**

1.5 The following screening devices are approved for use in this state:

1.6	Manufacturer	Model
1.7	Intoximeters, Inc.	Alco Sensor
1.8	Intoximeters, Inc.	Alco Sensor III
1.9	Intoximeters, Inc.	Alco Sensor IV
1.10	Intoximeters, Inc.	RBT IV (Alco Sensor IV with
1.11		RBT printer microprocessor)
1.12	Intoximeters, Inc.	Alco Sensor FST
1.13	Intoximeters, Inc.	Alco Sensor V XL
1.14	Lion Laboratories, Ltd.	S-L2
1.15	Lion Laboratories, Ltd.	S-L2s
1.16	CMI, Inc.	S-D2
1.17	CMI, Inc.	S-D5
1.18	<u>CMI, Inc.</u>	<u>Intoxilyzer 800</u>
1.19	Lifeloc Technologies, Inc.	FC10
1.20	Lifeloc Technologies, Inc.	FC10Plus
1.21	Lifeloc Technologies, Inc.	FC20
1.22	Draeger Safety Diagnostics, Inc.	Alcotest 6510
1.23	Draeger Safety Diagnostics, Inc.	Alcotest 5510
1.24	Draeger Safety Diagnostics, Inc.	Alcotest 6820
1.25	<u>Draeger Safety Diagnostics, Inc.</u>	<u>Alcotest 6000</u>
1.26	Alcohol Countermeasure Systems Corp.	Alert J5
1.27	Alcohol Countermeasure Systems Corp.	Alert J4X

# [Proposed] Order Adopting Rules

## Minnesota Department of Public Safety

### Bureau of Criminal Apprehension

#### Adoption of Rules Relating to Approved Alcohol Detection Screening Devices, Minnesota Rules, 7501.900; Revisor's ID Number R-4936, CAH Docket Number 21-9018-41242

#### BACKGROUND INFORMATION

1. The Department of Public Safety has complied with all notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law.

2. The Department of Public Safety did not receive any written comments on the rules.

3. By Minnesota Statutes, section 169A.75, paragraph c, the Minnesota Legislature authorizes the commissioner of public safety to make the following rule changes:

Amend Minnesota Rules, part 7501, subpart 0900, as follows:

Add two devices [Intoxilyzer 800 (CMI, Inc.) and Alcotest 6000 (Draeger Safety Diagnostics, Inc.)] to the list of approved alcohol screening devices authorized to detect alcohol impairment in Minnesota. Both devices meet Department of Public Safety approval criteria and both are manufactured by companies that have produced other state-approved alcohol detection devices.

4. The use of the exempt rulemaking process for these rules is authorized by Minnesota Statutes, section 169A.75, paragraph c. According to Minnesota Statutes, section 14.386, these changes incorporate specific changes stated in applicable statutes that require no interpretation of law.

5. No one requested that the Department of Public Safety hold a hearing on these rule changes. Since no one requested a hearing, no one withdrew such a request. No one requested to be notified when the Department of Public Safety submitted these rule changes to the Court of Administrative Hearings for consideration.

6. The rules are needed and reasonable.

**ORDER**

The rules of the Department of Public Safety governing Approved Alcohol Detection Screening Devices in the form set out in the Revisor's draft, file number AR4936, dated 9/23/25, are adopted under my authority in Minnesota Statutes section 169A.75, paragraph c.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bob Jacobson  
Commissioner, Department of Public Safety

**Minnesota Department of Public Safety**

**Bureau of Criminal Apprehension**

**CERTIFICATE OF MAILING THE NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING TO THE RULEMAKING MAILING LIST; CERTIFICATE OF ACCURACY OF THE MAILING LIST**

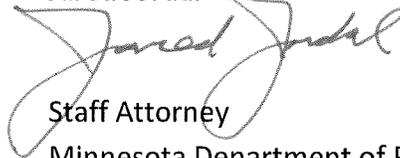
**Proposed Amendment to Rules Relating to Approved Intoxication Screening Devices, Minnesota Rules, chapter 7501.0900; Revisor's ID Number RD4936**

I certify the following:

1. On Friday, 9/19/2025, at least 33 days before the end of the comment period, at Saint Paul, Ramsey County, Minnesota, I delivered the Notice of Intent To Adopt Expedited Rules Without a Public Hearing to all persons and associations on the department rulemaking mailing list established by Minnesota Statutes, section 14.14, subdivision 1a, by sending electronic notification using the email or depositing the notice in the State of Minnesota's central mail system for United States mail with postage prepaid, according to subscriber preferences.
2. The list of persons and associations who have requested under Minnesota Statutes, section 14.14, subdivision 1a, that their names be placed on the Department of Public Safety rulemaking mailing list is accurate, complete, and current. Copies of the mailing list for U.S. mail subscribers and email subscribers list via the GovDelivery system are attached to this certificate.

Date: 9/19/2025

Jared Jordal



Staff Attorney

Minnesota Department of Public Safety  
Bureau of Criminal Apprehension

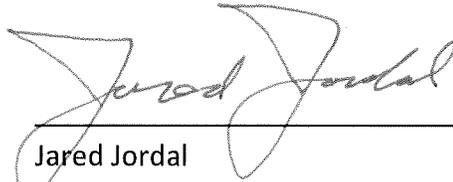
# Certificate of Accuracy of the Mailing List

**Minnesota Department of Public Safety**

**Bureau of Criminal Apprehension**

**Proposed Rules Relating to Approved Intoxication Screening Devices, Minnesota Rules, 7501.0900; Revisor's ID No. RD4936; CAH Docket No. 21-9018-41242**

I certify that the list of persons that have requested that their names be placed on the Department of Public Safety's rulemaking list under Minnesota Statutes, section 14.14, subdivision 1a, is accurate, complete, and current as of September 19, 2025.

A handwritten signature in black ink, reading "Jared Jordal", is written over a horizontal line. The signature is stylized with a large, looped initial "J".

Jared Jordal

Staff Attorney

Department of Public Safety

Bureau of Criminal Apprehension



# Order Adopting Rules

## Minnesota Department of Public Safety

### Adoption of Rules Relating to Approved Alcohol Detection Screening Devices, Minnesota Rules, Part 7501.0900; Revisor's ID Number R-4936, CAH Docket Number 21-9018-41242

#### BACKGROUND INFORMATION

1. The Department of Public Safety has complied with all notice and procedural requirements in Minnesota Statutes, chapter 14; Minnesota Rules, chapter 1400; and other applicable law.
2. The use of the expedited rulemaking process for the rules is authorized by Minnesota Statutes, section 169A.75, paragraph (c).
3. Minnesota Rules, part 7501.0900, is amended to add two devices [Intoxilyzer 800 (CMI, Inc.) and Alcotest 6000 (Draeger Safety Diagnostics, Inc.)] to the list of approved alcohol screening devices authorized to detect alcohol impairment in Minnesota. Both devices meet department approval criteria and are manufactured by companies that have produced other state-approved alcohol detection devices.
4. The department received no written comments and submissions on the rules and no requests for a public hearing. The department received no requests for notice of submission to the Court of Administrative Hearings. The proposed rules have not been modified.
5. The rules are needed and reasonable.

#### ORDER

The rules, in the form published in the *State Register* on September 22, 2025, file number RD-4936, dated April 22, 2025, are adopted under my authority in Minnesota Statutes, section 169A.75, paragraph (c).

12/05/2025

Bob Jacobson, Commissioner  
Minnesota Department of Public Safety

# Office of the Revisor of Statutes

## Administrative Rules



**TITLE:** Adopted Expedited Permanent Rules Relating to Approved Intoxication Screening Devices

**AGENCY:** Department of Public Safety

**REVISOR ID:** R-4936

**MINNESOTA RULES:** Chapter 7501

The attached rules are approved for  
filing with the Secretary of State

*Cindy K. Maxwell*

Cindy K. Maxwell  
Assistant Deputy Revisor

1.1 **Department of Public Safety**1.2 **Adopted Expedited Permanent Rules Relating to Approved Intoxication Screening**  
1.3 **Devices**1.4 **7501.0900 LIST OF APPROVED SCREENING DEVICES.**

1.5 The following screening devices are approved for use in this state:

1.6	Manufacturer	Model
1.7	Intoximeters, Inc.	Alco Sensor
1.8	Intoximeters, Inc.	Alco Sensor III
1.9	Intoximeters, Inc.	Alco Sensor IV
1.10	Intoximeters, Inc.	RBT IV (Alco Sensor IV with
1.11		RBT printer microprocessor)
1.12	Intoximeters, Inc.	Alco Sensor FST
1.13	Intoximeters, Inc.	Alco Sensor V XL
1.14	Lion Laboratories, Ltd.	S-L2
1.15	Lion Laboratories, Ltd.	S-L2s
1.16	CMI, Inc.	S-D2
1.17	CMI, Inc.	S-D5
1.18	CMI, Inc.	Intoxilyzer 800
1.19	Lifeloc Technologies, Inc.	FC10
1.20	Lifeloc Technologies, Inc.	FC10Plus
1.21	Lifeloc Technologies, Inc.	FC20
1.22	Draeger Safety Diagnostics, Inc.	Alcotest 6510
1.23	Draeger Safety Diagnostics, Inc.	Alcotest 5510
1.24	Draeger Safety Diagnostics, Inc.	Alcotest 6820
1.25	Draeger Safety Diagnostics, Inc.	Alcotest 6000
1.26	Alcohol Countermeasure Systems Corp.	Alert J5
1.27	Alcohol Countermeasure Systems Corp.	Alert J4X