



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

Mr. Chris Dalton
President
Intoximeters, Inc.
2081 Craig Road
St. Louis, MO 63146

MAY 14 2013

Dear Mr. Dalton:

Thank you for your letter, dated May 6, 2013, informing the National Highway Traffic Safety Administration (NHTSA) of the recent acquisition by Intoximeters, Inc. of all assets associated with the breath alcohol testing business of National Patent Analytical Systems, Inc. (NPAS).

We understand that the only changes currently being requested are device and ownership names. It is our understanding, per your letter, that there will be no changes or modifications to the six (6) NPAS DataMaster devices currently listed on the NHTSA conforming products list (CPL) of Evidential Breath Alcohol Measurement (EBT) Devices (77 FR 35747).


It is NHTSA's opinion that the change in device name and ownership of the product line does not affect the accuracy or the precision of the device. The NPAS DataMaster product line will be included under Intoximeters, Inc. in the next update of the CPL for EBTs.

However, please be advised that EBT model specifications provide that their manufacturers must submit proposed changes to NHTSA for review if they at any time wish to change the design of an EBT currently listed on the CPL. Based on this review, NHTSA will determine whether or not retesting is required. This office is to be notified immediately of any revisions or modifications to the device or to its quality assurance plan.

In order for this device to be used as a breath alcohol measuring instrument by workers in the U.S. Department of Transportation workplace testing program, a quality assurance plan (QAP) must be approved by NHTSA, as required by 49 CFR Part 40, "Procedures for Transportation Drug and Alcohol Testing Program" (59 FR 7340). The QAP requires users to calibrate your equipment following both your device's instruction and the instructions provided by the manufacturer of a calibrating unit listed on the CPL for calibrating units. Please provide revised QAPs for the DataMaster product line for NHTSA review and approval.

If you require further assistance, please do not hesitate to contact me at 202-366-1964.

Sincerely,


J. De Carlo Ciccel
Program Analyst

cc: Ed Conde; Volpe;
Jim Swart; OST

Intoximeters

World Leader in Breath Alcohol Testing for Over Sixty Years

May 6, 2013

De Carlo Ciccel
U.S. Department of Transportation
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SW
Washington, DC 20590

RE: Intoximeters, Inc. Acquisition of National Patent Analytical Systems, Inc.'s
Breath Alcohol Testing Instruments

Dear Ms. Ciccel:

I am writing to formally advise you of the fact that Intoximeters, Inc. and National Patent Analytical Systems, Inc. (NPAS) consummated an agreement on March 5, 2013, whereby Intoximeters purchased all of the assets associated with the breath alcohol testing business of NPAS. To be clear, we purchased only the breath alcohol testing line of instruments and not the entire company. The company National Patent Analytical Systems, Inc. (NPAS) will continue as an ongoing concern under its current ownership.

There will be no changes made to the instruments at this time, other than the change in ownership and a name change from "DataMaster DMT" to "Intox DMT".

We would like to request an amendment to the Conforming Products List of Evidential Breath Measurement Devices to reflect the new ownership of the instruments by Intoximeters. We believe the National Patent listings should remain exactly as they are (with the corrected fuel cell option descriptions) for legacy purposes. We envision the listings and Supplementary Information to appear as follows, but welcome any suggestions you may have:

SUPPLEMENTARY INFORMATION

"Intoximeters, Inc. and National Patent Analytical Systems, Inc. (NPAS) consummated an agreement on March 5, 2013, whereby Intoximeters purchased all of the assets associated with the breath alcohol testing business of NPAS."

Intoximeters, Inc., St. Louis, Missouri

BAC DataMaster (with or without the Delta-1 accessory)
BAC Verifier DataMaster (w/or without the Delta-1 accessory)
DataMaster cdm (w/ or without the Delta-1 accessory)
DataMaster DMT w/ Fuel Cell option
DataMaster DMT w/ Rev A Fuel Cell option
DataMaster DMT (a.k.a. Intox DMT)
Intox DMT (a.k.a. DataMaster DMT)

De Carlo Ciccel
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Please advise if you require any additional information in order to make the requested changes to the CPL.

Very truly yours,

A handwritten signature in black ink, appearing to read "CH Dalton", with a stylized flourish extending to the right.

Christopher H. Dalton
President