

## Loophole Could Impact Missouri Breath Tests

(AP) - Legal interpretation of a three-letter word could sink the results of countless alcohol breath tests in drunk driving cases across Missouri.

The St. Louis Post-Dispatch reports that several St. Charles County defense lawyers have successfully challenged blood-alcohol level test results over a linguistic error that remained in state regulations for 14 months before it was fixed in late January.

State Department of Health and Senior regulations say the machines must be periodically tested at one of three blood-alcohol levels: 0.10 percent, 0.08 percent or 0.04 percent.

Before the fix, the rules included the word "and" rather than "or." Some defense attorneys successfully argued that police had to conduct tests at each of those three levels.

The legal limit for blood-alcohol levels for Missouri drivers is 0.08 percent.

Associated Press