

59 with the calibration requirements of this section for the breathalyzer; and

60 (iv) the breathalyzer may be able to be shut down remotely; and

61 (c) the ~~it~~ ~~breathalyzer shall provide~~ retail licensee shall post in a conspicuous

61a location by the breathalyzer:

61b (i) ~~it~~ a notice to the user of the breathalyzer that the timing
62 of when a breathalyzer test is taken may affect the results of the breathalyzer test ~~it~~ ~~is~~; and

62a (ii) a notice that states: "The National Transportation Safety Board has found that
62b crash risk is consistently and significantly elevated by the time an individual reaches a blood
62c alcohol content of 0.05." ~~it~~

63 (3) Data from a breathalyzer installed in the licensed premises of, or sold or otherwise
64 provided by, a retail licensee may not be used for enforcement purposes.

65 (4) If a retail licensee or owner of the breathalyzer violates this section, the department
66 may require the retail licensee to remove the installed breathalyzer described in Subsection
67 (1)(a)(i) or not sell or otherwise provide a breathalyzer described in Subsection (1)(a)(ii).

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