



CIRIS CHRISTIE
Governor

KIM GUADAGNO
Lieutenant Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
PO BOX 085
TRENTON, NJ 08625-0085
TELEPHONE: (609) 984-6500

CHRISTOPHER S. PORRINO
Attorney General

ELIE HONIG
Director

February 15, 2017

TO: All County Prosecutors
Colonel Joseph Fuentes, Superintendent, New Jersey Division of State Police
All Municipal Prosecutors
All Law Enforcement Executives

**Re: Temporary Procedure for Evidential Breath Test Utilizing
Alcotest Instrument for Daylight Savings Time Period March 12-April 2, 2017**

In 2007, the federal Energy Policy Act, 42 U.S.C. §15801, changed the dates of Daylight Savings Time to begin on the second Sunday in March (March 12, 2017) instead of the first Sunday in April (April 2, 2017).

The Alcotest 7110 MKIII-C New Jersey firmware version 3.11 is configured to automatically convert to Daylight Savings Time based on the pre-2007 timetable. Instead of changing to Daylight Savings Time on March 12, 2017, the Alcotest 7110 MK III-C will change on April 2, 2017. Prior to April 2, 2017, the instrument will continue to record all times, both printed and electronic, with an "S" suffix, indicating Standard Time. At 02:00 hours (2:00 a.m.) on April 2, 2017, the instrument's time recording will automatically change to a "D" suffix, indicating Daylight Savings Time.

The instrument's recordation of Standard Time rather than Daylight Savings Time does not affect the method of analysis or the accuracy of the readings. All current procedures for the processing of arrested intoxicated drivers are to continue, including the 20 minute observation period currently part of the regular protocol. However, because the Alcotest is set to read in Standard Time during the period of time between March 12 and April 2, Breath Test Operators should enter the time of arrest in the Alcotest instrument in Standard Time (one hour earlier than Daylight Savings Time). Entries on all other documents related to the arrest (e.g., police reports) should reflect Daylight Savings Time effective March 12, 2017.

Any questions regarding this procedure can be directed to your New Jersey State Police Breath Test Coordinator or the Municipal Prosecutor Supervisor within the County Prosecutor's Office.

Very truly yours,

Assistant Attorney General Philip S. Aronow
Chief, Prosecutors Supervision & Training Bureau

c: Assistant Attorney General Elie Honig, Director, Division of Criminal Justice
Lieutenant Roberto Tormo, NJSP Alcohol & Drug Testing Unit
Traffic Records Unit, Criminal Justice Records Bureau, NJSP
Dr. Howard Baum, Director, NJSP Office of Forensic Science

