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February 15, 2022

TO: All County Prosecutors
Colonel Patrick Callahan, Acting 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 13 – April 3, 2022**

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 13, 2022) instead of the first Sunday in April (April 3, 2022).

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 13, 2022, the Alcotest 7110 MK III-C will change on April 3, 2022. Prior to April 3, 2022, 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 3, 2022, 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 13 and April 3, 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 13, 2021.

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

Very truly yours,

Jeffrey J. Barile
Bureau Chief
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c: Assistant Attorney General Lyndsay V. Ruotolo, Director, Division of Criminal Justice
Lieutenant Thomas Snyder, Unit Head, NJSP Alcohol & Drug Testing Unit

