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October 16, 2020

TO: All County Prosecutors
Colonel Patrick J. Callahan, 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 Standard Time Period October 25 – November 1, 2020

In 2007, the federal Energy Policy Act, 42 U.S.C. § 15801, changed the dates of ending Daylight Savings Time from the last Sunday in October to the first Sunday in November.

The Alcotest 7110 MKIII-C New Jersey firmware version 3.11 is configured to automatically revert to Eastern Standard Time based on the pre-2007 timetable. Instead of changing to Eastern Standard Time on November 1, 2020, the Alcotest 7110 MKIII-C will change on October 25, 2020. Commencing at 02:00 on October 25, 2020, the instrument will record all times, both printed and electronic, with an "S" suffix, indicating Standard 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 for the week between October 25 and November 1, 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 which will remain in effect until November 1, 2020.

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,

Robert Czepiel, Jr.
Assistant Attorney General
Deputy Director, Division of Criminal Justice

c: Assistant Attorney General Veronica Allende, Director, Division of Criminal Justice
Lieutenant Thomas Snyder, Unit Head, NJSP Alcohol & Drug Testing Unit