



CHRIS 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

PAULA T. DOW
Attorney General

STEPHEN J. TAYLOR
Director

October 14, 2011

**TO: ALL COUNTY PROSECUTORS
DIRECTOR, DIVISION OF CRIMINAL JUSTICE
COLONEL JOSEPH FUENTES, SUPERINTENDENT, NJ STATE POLICE**

RE: FRIDAY MAILING

Dear Prosecutor:

Enclosed please find:

1. Temporary Procedure for Evidential Breath Test Utilizing Alcotest Instrument for Standard Time Period October 30 - November 6, 2011
Please distribute this information to All Law Enforcement and Chief Executives within your jurisdiction.

Very truly yours,

Hester Agudosi, Chief
Prosecutors Supervision & Coordination Bureau

Enclosures
c: Distribution List





State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
FIVE EXECUTIVE CAMPUS - SUITE 205
CHERRY HILL, NJ 08002
TELEPHONE: (856) 486-3900

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TO: All County Prosecutors
Colonel Joseph Fuentes, Superintendent, NJSP
All Municipal Prosecutors
All Law Enforcement Executives

**Re: Temporary Procedure for Evidential Breath Test Utilizing
Alcotest Instrument for Standard Time Period October 30 -November 6, 2011**

In 2005, President Bush signed the Energy Policy Act of 2005, 42 U.S.C. sec. 15801. This Act, the relevant portion of which is attached, changes the dates of Daylight Savings Time effective 2007. As a result, Daylight Savings Time will end on the first Sunday in November instead of the last Sunday in October. Therefore, we will revert to Eastern Standard Time on Sunday, November 6, 2011, instead of Sunday, October 30, 2011.

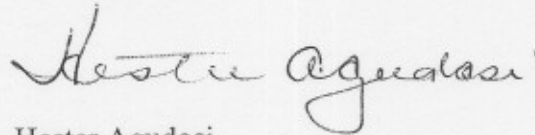
The Alcotest 7110 MKIII-C New Jersey firmware version 3.11 is configured to automatically revert to Eastern Standard Time based on the pre-2007 timetable. Therefore, instead of changing to Eastern Standard Time on November 6, 2011, the Alcotest 7110 MK III-C will change on October 30, 2011. Commencing at 02:00 on October 30, 2011, 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 30 and November 6, 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 6, 2011.



Coordinator or the Municipal Prosecutor Supervisor within the respective County Prosecutor's Office.

Very truly yours,

A handwritten signature in cursive script that reads "Hester Agudosi". The signature is written in dark ink and is positioned above the printed name.

Hester Agudosi
Chief
Prosecutors Supervision and Coordination Bureau

- c: AAG Boris Moczula, Acting Director, Division of Criminal Justice
SDAG Dermot O'Grady, Deputy Director, Division of Criminal Justice
DSFC Patrick Guilfoy, NJSP Alcohol & Drug Testing Unit
Traffic Records Unit, Criminal Justice Records Bureau, NJSP
Dr. Howard Baum, Director, NJSP Office of Forensic Science