



PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*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

GURBIR S. GREWAL  
*Attorney General*

ELIE HONIG  
*Director*

February 23, 2018

TO: **ALL COUNTY PROSECUTORS**  
**ALL COUNTY FIRST ASSISTANT PROSECUTORS**  
**DIRECTOR, DIVISION OF CRIMINAL JUSTICE**  
**COLONEL CALLAHAN, ACTING SUPERINTENDENT, NJSP**

Attached please find:

1. *Alcotest Instrument* ~ February 23, 2018 letter from DAG Analisa Sama Holmes about the temporary procedure for evidential breath test using the Alcotest instrument for Standard Time during the period of March 11, 2018 – April 1, 2018. (Attached)

*Please disseminate to all law enforcement executives in your county.*

Very truly yours,

Analisa Sama Holmes  
Deputy Attorney General  
Chief, Prosecutors Supervision & Training Bureau

c: Distribution List





PHILIP D. MURPHY  
Governor

SHEILA Y. OLIVER  
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

GURBIR S. GREWAL  
Attorney General

ELIE HONIG  
Director

February 23, 2018

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 11-April 1, 2018**

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 11, 2018) instead of the first Sunday in April (April 2, 2018).

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 11, 2018, the Alcotest 7110 MK III-C will change on April 1, 2018. Prior to April 1, 2018, 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 1, 2018, 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 11 and April 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 effective March 11, 2018.

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,

Analisa S. Holmes  
Deputy Attorney General  
Chief, Prosecutors Supervision & Training Bureau

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

