MEMORANDUM

TO:          ALL CHIEFS OF POLICE & LAW ENFORCEMENT EXECUTIVES  
SUPERINTENDENT, DIVISION OF STATE POLICE

FROM:        SDAG CHARLES GRINNELL  
ACTING CHIEF, PROSECUTORS & POLICE BUREAU

DATE:        NOVEMBER 2, 2001

SUBJECT:     NEW ALCOHOL INFLUENCE & BREATHALYZER CHECK LIST FORM -  
EFFECTIVE MONDAY, NOVEMBER 19, 2001

Effective Monday, November 19, 2001 and pursuant to an amendment to the Chemical Breath Testing Regulations found at N.J.A.C. 13:51-3.6(a)2, a new mandatory Alcohol Influence and Breathalyzer Check List form (copy attached) is to be utilized by all police and law enforcement agencies in this State. Under the provisions of N.J.S.A. 39:4-50.2(b); 39:3-10.24b; or 12:7-55b, this new form must be utilized when administering chemical breath tests, on a Breathalyzer or other photometric breath test instrument (N.J.A.C. 13:51-3.5(a)1), to a person suspected of violating any of the following statutes: N.J.S.A. 39:4-50 (operating a motor vehicle with a blood alcohol concentration of 0.10% or more); N.J.S.A. 39:3-10.13 (operating a commercial motor vehicle with an alcohol concentration of 0.04% or more); or N.J.S.A. 12:7-46 (operating a vessel with a blood alcohol concentration of 0.10% or more).

Each police and law enforcement agency will need to adapt the form to incorporate the name of their agency in the title of the form. This form is also available and can be downloaded, in a fillable PDF format, from the Division of Criminal Justice Internet Web Site at www.njdcj.org under "DWI Enforcement."

Operational inquiries and questions regarding the use and adaptation of this form should be directed to the Alcohol/Drug Test Unit, Division of State Police, telephone (609) 671-0040. Other questions should be directed to the Office of the County Prosecutor.
NAME OF POLICE DEPARTMENT - ALCOHOL INFLUENCE REPORT FORM

<table>
<thead>
<tr>
<th>Defendant (First name)</th>
<th>(Initial)</th>
<th>(Last name)</th>
<th>Case Number</th>
<th>Sequential File No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>Sex</td>
<td>Weight</td>
<td>Eyes</td>
<td>Arrested by</td>
</tr>
</tbody>
</table>

CHEMICAL BREATH TEST INFORMATION

Instrument: Breathalyzer, Model 900 [ ]  Breathalyzer, Model 900A [ ]  Dominator Albreath [ ]

<table>
<thead>
<tr>
<th>Test #</th>
<th>Instrument Serial Number</th>
<th>Ampoule Control Lot Number</th>
<th>Purge % Results</th>
<th>Samples Taken Date / Time</th>
<th>Blood Alcohol % Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>#2</td>
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<td>#3</td>
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<td>#4</td>
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</tbody>
</table>

BREATHALYZER CHECK LIST - N.J.A.C. 13:51-3.6(a)2

Mark all applicable boxes with an "X" or a check mark.

**Set Up Phase**

<table>
<thead>
<tr>
<th>TESTS</th>
<th>#1</th>
<th>#2</th>
<th>#3</th>
<th>#4</th>
</tr>
</thead>
</table>

- **Preparation Phase**
  1. Instrument temperature: Verified temperature, thermometer reached 50°C, plus or minus 3°C.
  2. Reference Ampoule: Gauged; Inserted in left hand holder.
  3. Test Ampoule: Gauged; Opened; Verified volume; Inserted in right hand holder.
  4. Bubbler: Inserted into test ampoule; Connected to outlet.
  5. Light turned on; Instrument balanced, Blood Alcohol Pointer set on Start Line.

- **Purge Phase**
  6. Turned control knob to the "Take" position; Flushed; Turned control knob to the "Analyze" position.
  7. Purge: When red empty signal appeared, waited 90 seconds; Light turned on; Instrument balanced.
  8. Purge Result Recorded.

- **Analysis Phase**
  11. Take Breath Sample: Turned control knob to the "Take" position; Took breath sample from defendant; Turned control knob to the "Analyze" position.
  12. Date & Time Recorded.
  13. When red empty signal appeared, waited 90 seconds; Light turned on; Instrument balanced.

- **Second or subsequent breath tests**
  15. Test ampoule removed; properly disposed. Power switch remained "On". Return to Step 1, start next breath test.

*Steps marked with an "N/A" are only performed on the first breath test, and do not have to be repeated on any subsequent breath tests.*

Breath Test Operator

<table>
<thead>
<tr>
<th>Rank</th>
<th>Signature</th>
<th>Badge #</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
</table>

Copy Given to Subject