

*Maryland-National Capital Park Police
Prince George's County Division*

DIVISION DIRECTIVE

TITLE PRELIMINARY BREATH TEST (PBT) UNITS		PROCEDURE NUMBER PG416.1	
SECTION Operational Procedures	DISTRIBUTION A	EFFECTIVE DATE 06/01/04	REVIEW DATE 06/01/06
REPLACES PG416.1 "Preliminary Breath Test (PBT) Units", issued 05/01/02			
RELATED DIRECTIVES PG416.0	REFERENCES CALEA 1, 61	AUTHORITY Commander Larry M. Brownlee, Sr.- Division Chief	

I. PURPOSE

This directive establishes policy and procedures for providing pro-active alcohol enforcement.

II. POLICY

Division policy requires officers to take a pro-active approach to the enforcement of alcohol and drug related offenses as they relate to drivers and those persons using park facilities who may have access to vehicles.

III. PROCEDURES

- A. All Preliminary Breath Test (PBT) trained officers will take a PBT unit with them on patrol when units are available.
1. All officers who are trained in the use of PBT's will ensure that PBT's are taken on patrol and utilized during each tour of duty.
 2. All officers using PBT's will comply with the procedures set forth in Division Directive PG416.0- "Driving Under The Influence", (Section III.C).
 3. When tests are given to those persons who have been drinking in the parks and are not driving, (as described in Section II. B. 1 and 2 of this directive) a Preliminary Breath Test Log will be completed for each individual tested by the administering officer.

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- B. The PBT Coordinator and other PBT operators should provide pro-active alcohol and drug enforcement as it relates to the use of motor vehicles. These programs will be in addition to any routine patrol activities.
 - 1. The purpose of the PBT unit is to identify those persons who have been consuming alcohol and/or drugs and who are either driving a motor vehicle or have access to one, so that appropriate enforcement actions can be taken.
 - 2. Preliminary Breath Test (PBT) Operators will provide for:
 - a. The selective assignment of personnel at times and locations where it has been shown that a significant number of prior alcohol violations have occurred.
 - b. Selective surveillance and enforcement on roadways where there has been an unusual incidence of alcohol violations or alcohol related traffic accidents.
- C. All alcohol related accident investigations will be coordinated with the PBT Coordinator to ensure completeness.
- D. Copies of all DWI arrest and alcohol related accident reports will be sent to the PBT Coordinator for statistical purposes.

IV. SELECTION AND TRAINING

- A. Preliminary Breath Test Operators will be selected on the basis of interest, a demonstrated ability to exercise sound judgment, and the recommendation of their immediate supervisor.
- B. Preliminary Breath Test Operators will successfully complete a basic PBT Instruction Course approved by the State of Maryland.

V. RESPONSIBILITIES

- A. All Officers
 - 1. Will be aware of the availability of PBT units and will offer a PBT in conjunction with every offense/incident where alcohol is being or has recently been consumed by a driver or person with immediate access to a vehicle.
 - 2. Those officers not having a PBT unit with them will request an officer with a PBT unit to administer provided the offender has agreed to testing.

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3. Will, in those instances where an officer offers a PBT test to an offender and that person refuses to take the test, refusal will be logged in the PBT Log Book.

B. Preliminary Breath Test (PBT) Operators

1. Will handle the units properly and carry and/or store them in their approved cases when not in use.
2. Will complete the Preliminary Breath Test Log (Form MSP104) in the Master PBT Log book by the end of their tour of duty when a unit is used. Form MSP102 (PBT Advisement of Rights) will be forwarded to the PBT Coordinator. Once the Coordinator has assured that the log data has been recorded, Form MSP102 can be destroyed. The PBT Advisement of Rights (MSP102) will be completed for each vehicle operator offered the test. This includes refusals, which are also to be entered into the Master Log.
3. Will report any problems with any PBT unit to the PBT Coordinator in writing as soon as practical.
4. Will place a PBT unit out-of-service when it is found to be malfunctioning and will send written notification of the problem, with the unit, to the PBT Coordinator. No repairs or modifications to the units will be attempted by the PBT Operator or any officer.
5. Will ensure that all PBT units are calibrated once a month. The operator will conduct a calibration test using the Alco-Sensor Simulator Unit located at Headquarters in the Sergeant's office. The operator will make an entry of "Calibration Test" in the Master Log with the results. If the test reading is other than .09-.11, the unit is to be placed out-of-service and re-calibrated to .10. Written notice of the problem is to be made to the PBT Coordinator.

C. Shift Supervisors

1. Will ensure that all officers trained in the use of PBT's are utilizing them when appropriate during each tour of duty.
2. Will coordinate the response of PBT officers as needed in the field.

D. Preliminary Breath Test (PBT) Coordinator

1. Will maintain the general condition of all PBT units owned by the Division. If repairs are to be made, the coordinator will facilitate transportation of the units to and from the place of repair. All equipment

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associated with the PBT's (i.e., forms, calibration solution, mouth pieces, etc.) will be the responsibility of the PBT Coordinator.

2. Will review the Master PBT Log (MSP104) for errors and will distribute to the Division any changes in procedure or regulations pertaining to the PBT's.
 3. Will ensure that all PBT units are calibrated as required in Section V.B.5 of this directive.
- E. Assistant Chief, Field Operations or designee
1. Will develop directed patrol sites and activities with the PBT Coordinator.
 2. Will coordinate staffing and training needs with the appropriate personnel, as needed.

VI. PRELIMINARY BREATH TEST FORMS

- A. The Preliminary Breath Test Log Form will be used to record all PBT operations. The PBT numeric result will not be entered anywhere on a State Citation or other charging document, although the phrase "failed Preliminary Breath Test" may be used in a narrative describing the probable cause for a DWI charge.
- B. No officer will remove the Master PBT Log Book from the station roll call area where it is stored.

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