

La Plata Police Department – General Orders

	Title: Preliminary Breath Test		Order #: 703	
	Effective Date: November 20, 2014	Review Date:		
	<input checked="" type="radio"/> New <input type="radio"/> Amends <input type="radio"/> Rescinds			
Approved by: Chief Carl Schinner			CALEA 5 th Edition	
CALEA Standard: 61.1.11			Pages: 1	

01 PURPOSE: The La Plata Police Department recognizes the danger of impaired drivers and is committed to prosecuting those violators. The purpose of this policy is to set forth guidelines for the use of the Preliminary Breath Test (PBT) to assist officers in roadside evaluations of these drivers.

02 POLICY: In order to accomplish the above purpose, the procedures listed below shall be adhered to by all Department personnel in all cases involving roadside evaluations of suspected impaired individuals.

03 PBT USE:

- A. Officers, stopping a motorist for suspected impaired driving, will have the driver complete the accepted performance tests to establish probable cause.
- B. The PBT may be used as an additional screening device, but the results of the test cannot be used in the Statement of Probable Cause.
- C. A PBT will be available for 24-hour availability.
- D. A PBT will be administered only by certified operators.
- E. Only those PBTs approved by the State Toxicologist will be used.

04 PBT OPERATORS:

- A. Shall remove any PBT from service that is not working properly. The malfunctioning PBT will be forwarded to the Department's Traffic Officer.
- B. Shall complete the Maryland State Police (MSP) Advisement of Rights (MSP Form 102), and distribute as follows:
 - 1. Original – Retained by requesting officer.

2. First copy – To subject tested.

3. Second Copy – Forwarded to the Operations Commander.

C. Shall not furnish the results of the PBT to any person arrested for Impaired Driving until after completion of the evidentiary chemical test or until after refusal to submit to a chemical test.

D. Shall ensure that the arresting officer has all of the required information for completion of the PBT Section of the Alcohol Influence Report.

05 PBT TECHNICIAN:

- A. Check each PBT unit used in the testing of suspected impaired drivers, using a simulated 0.100% alcohol solution.
- B. Conduct inspections of all PBT units on a monthly basis.
- C. Decertify and take out of service PBT units that are not present at the monthly inspection.
- D. Maintain, calibrate, and arrange repairs for all PBT units. PBTs that cannot be repaired by the PBT Technician will be forwarded to Operations Commander via the chain of command.
- E. Maintain all PBT supplies, mouthpieces, MSP Form 102, etc.
- F. May be consulted with for:
 - 1. Maintenance, calibration or repair of PBT units.
 - 2. Questions on use of and training of the PBT for qualified operators.