




City of Manassas Police Department General Duty Manual



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| Effective Date: 09-01-2007 | GENERAL ORDER | Number: 07-09 |
| Subject: Breathalyzer Operations | | |
| <input type="checkbox"/> New <input type="checkbox"/> Amends <input checked="" type="checkbox"/> Rescinds <input checked="" type="checkbox"/> Reviewed: 07-27-2015 G.O. 7-9 Dated: 09-20-2000 | | Reevaluation: <input type="checkbox"/> 1 yr. <input type="checkbox"/> 18 months <input checked="" type="checkbox"/> N/A |
| Accreditation Standards: | By Authority Of:  Douglas W. Keen, Chief of Police | Total Pages: 3 |

PURPOSE:

To provide a written directive for the care, maintenance and operation of the Intox EC/IR II instrument located at the Prince William County Adult Detention Center.

POLICY:

The Intox EC/IR II is an evidential alcohol-measuring instrument by the Department of Forensic Science of the Commonwealth of Virginia (hereafter known as the "Department") for the purpose of conducting breath tests to determine the blood alcohol content of the individual being tested. The primary purpose of the instrument is to obtain forensic evidence for court prosecution of driving while under the influence cases.

DISCUSSION:

Only members trained and licensed by the Department are authorized to operate the Intox EC/IR II. All licensed Intox EC/IR II operators must have a working knowledge of the Department's regulations governing Intox EC/IR II operation. The Department issues all licensed Intox EC/IR II operators an operator card and a unique PIN number in order to access the Intox EC/IR II.

PROCEDURE:

I. Intox EC/IR II, Generally

- A. The Intox EC/IR II is an evidential testing instrument, which is continually connected to the Department by a modem.
- B. In the event that the Intox EC/IR II is found to be inoperable, operators follow the troubleshooting procedures provided by the Department. If troubleshooting fails to correct the problem, operators should follow the instructions noted in Section C, below.
- C. Any licensed Intox EC/IR II Operator may contact the Department to report a problem with the instrument.
 1. Operators perform only the repair / correction procedures directed by the Division.
 2. The Department will attempt to rectify the problem by:
 - a. Effecting corrections to the instrument through the modem connection.
 - b. Instructing the operator to make repairs / corrections manually.
 - c. Scheduling a technician to respond to effect repairs.
- D. The Intox EC/IR II receives periodic maintenance and recertification by the Department, according to schedules determined, documented and maintained by the Department.
- E. The operator gains access to the Intox EC/IR II by the following procedure:
 1. He scans his Department-issued operator's license into the Intox EC/IR II.
 2. He enters his unique PIN number.
 3. He reviews the entered operator information.

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II. Intox EC/IR II Coordinator

- A. The Commander of Patrol Services appoints a Breath Alcohol Coordinator from among the Department's currently licensed operators. If the Breath Alcohol Coordinator's license expires or he fails to maintain his certification, he is immediately removed from that position and a new coordinator is named by the Commander of Patrol Services.
- B. The Breath Alcohol Coordinator is a part-time duty and does not constitute a specialized assignment. See General Order 3-17.
- C. The Breath Alcohol Coordinator is responsible for:
 - 1. Notifying the Commander of Patrol Services when the Intox EC/IR II is not operating properly.
 - 2. Notifying the Department when the Intox EC/IR II is not operating properly.
 - 3. Annual accountability of Department-issued Preliminary Breath Test devices (PBT's).
 - 4. Monthly maintenance for Department-issued PBT's.
 - 5. Order all equipment for Department-issued PBT's

III. Operations, Generally

- A. The Intox EC/IR II is located at the Prince William County Adult Detention Center
- B. If a licensed operator is on duty, he responds to the Processing Room to perform the test.
 - 1. The Intox EC/IR II test is performed and documented following Department regulations and the applicable provisions of the Code of Virginia. See General Order 8-7.
 - 2. The Intox EC/IR II operator is responsible for maintaining whatever individual records may be required if called upon to testify in the prosecution of the case.
- C. Intox C/IR II operators will run monthly practice tests in accordance with Department regulations. Results of these tests will be provided to the Breath Alcohol Coordinator.

III. Intox EC/IR II Operators

- A. Intox EC/IR II Operators are tested, trained, licensed and recertified according to regulations and schedules specified by the Department.
- B. Intox EC/IR II Operators are responsible for forwarding a copy of their current Intox EC/IR II Operator's License to the Training Officer for inclusion into the training files.
- C. The Training Officer maintains a list of current Intox EC/IR II operators.

IV. Approved Breath Test Devices - The following is quoted from the Virginia Register Online May 2, 2005 (Volume 21, Issue 17).

- A. Statutory Authority - §§ 9.1-102, 18.2-267, 18.2-268.9, 29.1-738.1, 29.1-738.2, 46.2-341.25, and 46.2-341.26:9 of the Code of Virginia.
- B. Approved Breath Test Device - In accordance with 6 VAC 20-190-90 of the Regulations for Breath Alcohol Testing and under the authority of the Code of Virginia, the following breath test device is approved for use in conducting breath tests:
 - 1. The Intoxilyzer, Model 5000, CD/FG5, equipped with the Virginia test protocol, simulator monitor, and external printer, manufactured by CMI, Inc., Owensboro, Kentucky.
- C. Approved Supplies and Accessories - In accordance with 6 VAC 20-190-100 of the Regulations for Breath Alcohol Testing and under the authority of the Code of Virginia, the following supplies and accessories may be purchased by an agency for use with the breath test device:
 - 1. Mouthpieces that are compatible with the Intoxilyzer, Model 5000, CD/FG5, manufactured by CMI, Inc., Owensboro, Kentucky.
- D. Approved Preliminary Breath Test Devices - In accordance with 6 VAC 20-190-180 of the Regulations for Breath Alcohol Testing and under the authority of the Code of Virginia, the following devices are approved for use as preliminary breath test devices:
 - 1. The ALCO-SENSOR, ALCO-SENSOR II, ALCOSENSOR III, ALCO-SENSOR IV and ALCO-SENSOR FST manufactured by Intoximeters, Inc., St Louis, Missouri.
 - 2. The CMI SD 2 and CMI SD 5, manufactured by Lyon Laboratories, Barry, United Kingdom.
 - 3. The INTOXILYZER 400PA, manufactured by CMI, Inc., Owensboro, Kentucky.

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4. The LIFELOC PBA 3000* and LIFELOC FC10, manufactured by Lifeloc Inc., Wheat Ridge, Colorado. *When used in the direct sensing mode only.
5. The ALCOTEST 6510 manufactured by Draeger Safety Diagnostics, Inc., Durango, Colorado.

Attachments: "A" Virginia Department of Forensic Science EC/IR II Breath Test Worksheet
 "B" Virginia Register and Regulations 6VAC40-20 Regulations for Breath Alcohol testing (Oct 16, 2008)

Index as: Intoxilyzer Operations.
 Breath Test Operations.

References: Virginia Department of Forensic Science Intox EC/IR II Breath Test Operator Instruction Manual (7/7/2008)
<http://www.dfs.virginia.gov/wp-content/uploads/2013/07/InstructionalManualIntoxECIRII.pdf>