
ADMINISTRATIVE DIRECTIVE – 112.046
USE OF PRELIMINARY BREATH TEST DEVICES

EFFECTIVE DATE: February 2, 2015
REVIEW SCHEDULE: Annual

REVISION DATE:

I. PURPOSE

The Plano Police Department makes portable breath test (PBT) devices available to uniformed personnel for use in investigating incidents where subjects may be intoxicated, under the influence of alcohol, and/or to rule out the presence of alcohol in a container. PBTs may also be used for administrative and training purposes.

II. PROCEDURES

A. Use and Maintenance of Issued Device

1. Uniformed personnel are issued the Lifeloc FC10Plus alcohol testing device. Officers shall use the Lifeloc FC10Plus in accordance with the Lifeloc FC10Plus Operations Manual. Once issued, the Lifeloc FC10Plus is the PBT that officers shall use.
2. Officers shall perform calibration checks monthly as recommended in the Operations Manual. Calibration check supplies are available in designated areas at all three police stations.
3. Officers shall have their Lifeloc FC10Plus calibrated annually or after their device fails a calibration check.
4. The Lifeloc FC10Plus has three testing modes, automatic, manual, and passive. Officers should normally use the “automatic” mode when obtaining breath specimens from subjects. The “manual” mode can be used when subjects are unable to provide a full specimen of breath. The “passive” mode can be used to detect alcohol in an open container or to use as a quick screening tool to detect the mere presence of alcohol on a subject’s breath.
5. The Lifeloc FC10Plus is equipped with security settings that include the ability to set a password. Officers shall not setup a password on their device. If the password is set and lost, the device may have to be returned to the manufacturer to be reset.
6. Officers shall receive training upon issuance of their PBT. Training topics will include the operation of the device, legal issues and case law, and recommended uses in the field.

B. Driving While Intoxicated Investigations

1. PBTs may be used as an additional field sobriety test to determine the presence or absence of alcohol in a subject’s system. Although PBTs provide a quantitative result of the subject’s breath alcohol concentration, the quantitative result is generally not admissible as evidence in a trial.
2. If an officer chooses to use a PBT during a DWI investigation, the officer will consider the results of the PBT only as part of the totality of the circumstances when determining if probable cause exists for an arrest. Under no circumstances shall the officer base an arrest decision on the results of a PBT alone.
3. Officers may record the quantitative result of a PBT test in their report. However, officers shall not say the result aloud, encourage the suspect to say the result aloud, or show the result to the MDVR system.
4. The Lifeloc FC10Plus “passive” mode can be used to detect the presence of alcohol in a suspected open container.

C. Other Intoxication or Alcohol Related Investigations

1. Officers may use PBTs during driving under the influence (DUI), public intoxication (PI), minor in possession or consumption (MIP/MIC), possession of open container, and controlled party dispersal investigations. If used, officers shall record the results of the PBT test in their report or on the citation. PBT results are sometimes admitted in municipal court.

**ADMINISTRATIVE DIRECTIVE – 112.046
USE OF PRELIMINARY BREATH TEST DEVICES**

EFFECTIVE DATE: February 2, 2015
REVIEW SCHEDULE: Annual

REVISION DATE:

-
2. Officers may use PBTs during any investigation or incident to determine if a subject is currently under the influence of alcohol.