

TESTS FOR DETERMINING INTOXICATION FOR OUI ARRESTS

POLICY & PROCEDURE NO. 5.04	ISSUE DATE: July 1, 2003
	EFFECTIVE DATE: July 1, 2003
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: none	REVISION DATE: March 1, 2019

Horizontal Gaze Nystagmus

Identify if the subject wears contact lenses or glasses. Check for the lack of smooth pursuit in both eyes. Check for distinct nystagmus at maximum deviation in both eyes. Check for the onset of nystagmus prior to forty-five degrees in both eyes. Check for vertical nystagmus in both eyes.

Nine Step Walk and Turn

Place the subject in the instructional stance, which is described as feet heel to toe and hands at sides. Advise the subject to not move while the test is being instructed and demonstrated. Demonstrate and instruct the test to the subject. Advise the subject to take nine steps on a line, walking heel to toe. If no line is present have the subject walk in a straight manner. At the ninth step have the subject do a series of small steps pivoting on the lead foot to complete the turn. Have the subject walk nine steps back on the line, walking heel to toe. During the test the subject should count the steps out loud and kept their arms at their sides. Once they start the test they should not stop until the test is completed.

One Leg Stand

Place the subject in the instructional stance, which is described as feet together and hands at sides. Advise the subject to not move while the test is being instructed and demonstrated. Demonstrate and instruct the test to the subject. Instruct the subject to lift one foot approximately six inches off the ground and count out loud in thousands, while keeping their hands at their sides. The officer will allow the subject to continue counting for approximately thirty seconds.

PBT

The PBT (Preliminary Breath Test) will be offered to the subject in the following manner:

1. Press and hold "OK" button for 1 second.
2. When display reads "READY", attach a mouthpiece.
3. Subject should blow continuously for about 6 seconds.
4. Display will read result.
5. Press the "OK" button to reset.
6. When "READY" appears, next sample can be taken.
7. This unit can hold up to 10 tests that can be retrieved, but it will keep rewriting over them.

NOTE: Officers with specialized training such as DRE's, or those officers who are ARIDE certified, or those officers who have received training in the administration of additional roadside assessments and/or non-standardized field sobriety testing, may, at their own discretion, administer additional roadside assessments and/or non-standardized field sobriety training when determining suspected intoxication due to alcohol or drug use.