



Public Notice

Pursuant to the authority of Iowa Code 321J.11 and 321J.15, and in accordance with 661 Iowa Administrative Code 157.2(321J), the following operational and training protocol has been approved for use in the State of Iowa in conducting evidentiary tests of breath samples for the purposes of establishing whether a person is impaired:

Operational Protocol

DataMaster DMT operational protocol – National Patent Analytical Systems, Inc. Mansfield, Ohio
“Operating the DataMaster DMT Version 1.0” – operational manual and training outline – IA DCI Criminalistics Laboratory Ankeny, IA

The listed items are approved for use in Iowa effective September 1, 2009.

In May 2008, I approved the DataMaster DMT as an evidentiary breath testing instrument to be used in the State of Iowa. Since that time, the manufacturer of the instrument, National Patent Analytical Systems, Inc. (NPAS) and the Division of Criminal Investigation (DCI) Criminalistics Laboratory have cooperated to develop an operational protocol that takes advantages of the many new features that the DataMaster DMT incorporates while providing directions to operators that are easy to follow and which will result in reliable test results.

The DataMaster DMT allows for simple, step-by-step instructions to be given to the operator administering a breath test. These instructions include such items as; the proper information to be presented to a subject on how to provide a breath, instructions on removing the mouthpiece, and instructions on how to check the calibration of handheld portable breath testing devices.

The DataMaster DMT ensures that the instrument is properly working at the time of the test by running a diagnostic test verifying that important temperature and voltage measurements fall within the manufacturer's pre-set ranges.

The DMT also utilizes both internal and external calibration checks to verify that the instrument is accurately measuring the alcohol level. The internal standard, also known as the quartz plate, has been a part of the breath alcohol testing program since its inception. The external standard is the application of dry gas technology to the evidentiary breath testing program. Up until now in Iowa, a dry gas ethanol standard has only been used to check and/or calibrate the PBTs used by law enforcement personnel. Improvements in this technology have made its inclusion in Iowa's breath testing program a welcome addition.

Ultimately what all this means for a breath test is that if the internal standard, the external standard, or the diagnostic check fall outside of acceptable ranges the instrument will not allow a test to proceed.

These checks, along with the many status messages that are designed to ensure an unbiased test is given to an individual, will enhance confidence that the instrument is properly analyzing the breath sample delivered into the instrument by the subject for the presence and amount of alcohol.

The DataMaster DMT incorporates several new features that will expand its usefulness to the law enforcement community.

One of those features is the DMT will allow an operator to re-print an earlier test without the assistance of the DCI Crime Laboratory. This feature should prove to expedite cases that may have otherwise been delayed due to the loss of the original paperwork.

Another new feature allows law enforcement personnel to check or calibrate handheld portable breath testing devices or PBTs. The external standard, mentioned earlier, is a dry gas ethanol standard; the same type of dry gas currently used by most departments to perform the required monthly checks of PBTs.

These two features should result in substantial savings of tax dollars, by reducing the frequency with which an officer has to travel in order to reprint misplaced reports or calibrate a PBT.

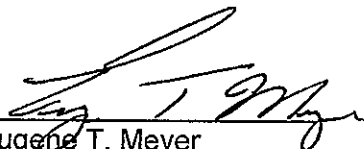
In addition, the instrument allows for both evidentiary and non-evidential testing protocols. Non-certified jailers and administrative staff will have the ability to use the instrument to determine if alcohol is present on a subject's breath in non-evidentiary situations such as work-release.

The DataMaster DMT, like the DataMaster cdm model, allows the Iowa Department of Transportation's Traffic and Criminal Software, or TraCS, to interface with the DataMaster DMT. This interface promotes ease of operation as it acts to permit data sharing between the DataMaster and TraCS. The TraCS software has no effect on the analytical integrity of the DataMaster. The DataMaster can be run independently or in combination with the TraCS software. This interface between the DataMaster and the TraCS program was approved by former Commissioner Kevin Techau in December 2005.

The Division of Criminal Investigation has prepared a PowerPoint manual that will be used to certify officers throughout the State. This manual has been named "Operating the DataMaster DMT Version 1.0". A copy of this manual will be available on the Department of Public Safety website and a hard copy of the manual will be provided to operators of the DataMaster DMT at the time of their training.

I hereby approve the breath test protocols that are used within the DataMaster DMT to obtain an evidentiary breath alcohol sample from an individual. In addition, I approve the "Operating the DataMaster DMT Version 1.0" manual.

8-10-09
Date


Eugene T. Meyer
Commissioner