IMPLIED CONSENT TEST REQUEST

December 1, 2011

- 1. You have been arrested and you are requested to submit to a test or tests to determine the presence and/or concentration of intoxicants in your body.
- 2.The state's test will be a [insert ONE word "breath" OR the word "blood"] test. If a blood test is performed, it will be done by approved medical personnel.
- 3. Once you complete the state's test, you may have an additional test at your own expense, provided that a sufficient quantity of any specimen obtained shall be available to the state for testing.
- 4. You are not entitled to consult with an attorney prior to making your decision whether or not to submit to the state's tests.
- 5. You may refuse the state's test, but as a consequence your driver's license will be revoked or denied by the Department of Public Safety.
- 6. If you are age 21 years or older and the test result is 0.08 or more alcohol concentration, your driver's license will be revoked or denied by the Department of Public Safety. If you are under age 21 and the test result is 0.02 or more alcohol concentration, your driver's license will be revoked or denied by the Department of Public Safety.
- If your driver's license is revoked or denied by the Department of Public Safety, you may be required to have an ignition interlock installed.
- 8. Will you take the state's test?

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MIRANDA WARNING

- 1. You have the right to remain silent.
- 2. Anything you say can and will be used against you in a court of law.
- 3. You have a right to talk to a lawyer and have him present with you while you are being questioned.
- If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning, if you wish one.
- 5. If you decide to make a statement, you may stop at any time.

WAIVER

- 1. Do you understand each of these rights I have explained to you?
- 2. Having these rights in mind, do you wish to talk to us now?

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