

PRELIMINARY ALCOHOL SCREENING TEST REFUSAL (DUI PROBATION), 13353.1 CVC

CHEMICAL TEST REFUSAL, 13353 CVC

CHEMICAL TEST ADMONITION (23154, 23612 CVC)

I admonished the driver on \_\_\_\_\_ at \_\_\_\_\_ AM/PM in \_\_\_\_\_ CA.  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ LOCATION \_\_\_\_\_

1. You are required by state law to submit to a PAS (DUI Probation) or other chemical test to determine the alcohol and/or drug content of your blood.
2.  a. Because I believe you are under the influence of alcohol, you have a choice of taking a breath or blood test.  
 b. Because I believe you are under the influence of alcohol and drugs, you have a choice of taking a breath, blood or urine test.  
 c. **WHEN APPLICABLE:** Since the breath and blood tests are unavailable, you are deemed to have given your consent to chemical testing of your urine.  
 d. **WHEN APPLICABLE:** Since you need medical treatment, your choice is limited to \_\_\_\_\_ test(s), the only test(s) available at \_\_\_\_\_
3. If you refuse to submit to, or fail to complete a test, your driving privilege will be suspended for one year or revoked for two or three years. A second offense within ten years of a separate violation of driving under the influence, including such a charge reduced to reckless driving, or vehicular manslaughter, or a violation of Section 23140 CVC, which resulted in a conviction, or separate administrative determination that you were driving with a BAC of 0.01% or more while under age 21, or a separate administrative determination that you were driving with a BAC of 0.01% or more while on DUI probation, or a BAC of 0.04% while operating a commercial motor vehicle, or a BAC of 0.08% or more at any age, or you refused a test, will result in a two-year revocation. Three or more offenses within ten years of any combination of the above violations, convictions or separate administrative determinations will result in a three-year revocation.
4. Refusal or failure to complete a test may be used against you in court. Refusal or failure to complete a test will also result in a fine and imprisonment if this arrest results in a conviction of driving under the influence.
5. You do not have the right to talk to an attorney or have an attorney present before stating whether you will submit to a test, before deciding which test to take, or during the test.
6. If you cannot, or state you cannot, complete the test you choose, you must submit to and complete a remaining test.

**RESPONSE TO: Will you take a Preliminary Alcohol Screening (DUI Probation) test?** \_\_\_\_\_

**Breath test?** \_\_\_\_\_ **Blood Test?** \_\_\_\_\_

Both Breath and Blood tests are unavailable. EXPLAIN: \_\_\_\_\_

PAS test unavailable. EXPLAIN: \_\_\_\_\_

Drug use suspected. RESPONSE TO: Will you take a urine test? \_\_\_\_\_

The driver refused to submit to or failed to complete any test. The refusal or failure was indicated by the following statements or actions: \_\_\_\_\_

If not given in English, admonition was given in  Spanish  Other language (specify) \_\_\_\_\_

If the above Chemical Test Admonition was read to arrestee by another officer, indicate that officer's:

Name \_\_\_\_\_ Badge/ID No. \_\_\_\_\_ Agency \_\_\_\_\_ Phone No. ( ) \_\_\_\_\_

#### DRUG ADMONITION SUPPLEMENT

I believe the driver was driving under the influence of drugs or a combination of drugs and alcohol. In addition to the breath test results and information listed on the front, my belief is based on the following facts: \_\_\_\_\_

#### DRUG ADMONITION: Blood and Urine Only

1. The breath test you have just taken is designed to detect only the alcohol content of your blood.
2. Because I believe you are under the influence of drugs or a combination of drugs and alcohol, you are required by state law to submit to a blood or urine test to determine the drug content of your blood.
3. If you refuse to submit to, or fail to complete a test, your driving privilege will be suspended for one year or revoked for two or three years. A second offense within ten years of a separate violation of driving under the influence, including such a charge reduced to reckless driving, or vehicular manslaughter, or a violation of Section 23140 CVC, which resulted in a conviction, or separate administrative determination that you were driving with a BAC of 0.01% while under age 21, or a separate administrative determination that you were driving with a BAC of 0.01% or more while on DUI probation, or a BAC of 0.04% while operating a commercial motor vehicle, or a BAC of 0.08% or more at any age, or you refused a test, will result in a two-year revocation. Three or more offenses within ten years of any combination of the above violations, convictions or separate administrative determinations will result in a three-year revocation.
4. Refusal or failure to complete a test may be used against you in court. Refusal or failure to complete a test will also result in a fine and imprisonment if this arrest results in a conviction of driving under the influence.
5. You do not have the right to talk to an attorney or have an attorney present before stating whether you will submit to a test, before deciding which test to take, or during the test.
6. If you cannot, or state you cannot, complete the test you choose, you must submit to and complete the remaining test.

If the above Drug Admonition was read to the arrestee by another officer, indicate that officer's:

Name \_\_\_\_\_ Badge/ID No. \_\_\_\_\_ Agency \_\_\_\_\_ Phone No. ( ) \_\_\_\_\_

If not given in English, admonition was given in  Spanish  Other language (specify) \_\_\_\_\_

Response to: Will you take a Blood test? \_\_\_\_\_ Urine test? \_\_\_\_\_

The driver refused to submit to or failed to complete any such test. The refusal or failure was indicated by the following statements or actions: \_\_\_\_\_