

BLOOD TEST OFFICER'S AFFIDAVIT

Section 1

UNDER 21	YES	NO	CO#	CITY #	CITATION NUMBER					
ARREST DATE	TIME ARRESTED (MILITARY)		ARREST LOCATION			CITY		COUNTY		
ARRESTEE (LAST, FIRST, MIDDLE)					DOB (MO/DAY/YR)	HEIGHT	WEIGHT	RACE	SEX	
ARRESTEE ADDRESS					CITY		STATE	ZIP CODE		
DL NUMBER	EXP. (MO/YR)	STATE	CLASS	RESTRICTIONS	ENDORSEMENTS	CMV/CDL Y N	HAZ MAT PLACARDED Y N	VEHICLE MAKE	VEHICLE MODEL	TAG #

On the above date, time, and location, the above named person was arrested, and I had reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle upon a public road, highway, street, turnpike, public parking lot, or other public place, or upon a private road, street, alley, or lane which provides access to one or more single or multi-family dwellings within this state while under the influence of alcohol and/or other intoxicating substances as prohibited by law. (Describe driving behavior or circumstances):

Describe person's condition (odor, actions, etc.) _____

THE PERSON WAS INFORMED OF THE IMPLIED CONSENT TEST REQUEST.

I HAVE AUTHORIZED BLOOD WITHDRAWAL. _____
ARRESTEE SIGNATURE DATE

OTHER WITNESSES: Section 2

A. Name: _____ Title: _____ Address: _____ Phone: _____
B. Name: _____ Title: _____ Address: _____ Phone: _____

STATE'S TEST (ARRESTEE AGREED) FATALITY ADDITIONAL TEST (ARRESTEE REQUEST)
 WARRANT INJURY FOR CRIMINAL PROSECUTION ONLY Section 3

Section 4

COLLECTION DATE	MILITARY TIME	BLOOD KIT NUMBER (6 digits)				# VIALS COLLECTED	PLACE OF COLLECTION (HOSPITAL NAME)		
CHECK TEST REQUESTED									
<input type="checkbox"/> ALCOHOL		<input type="checkbox"/> GENERAL DRUG/INTOXICANTS SCREEN				<input type="checkbox"/> ANALYZE FOR (SPECIFY): _____			
SIGNATURE AND TITLE (e.g. R/N) OF PERSON WITHDRAWING BLOOD					PRINT NAME AND TITLE				
COUNTY OF OFFENSE					DELIVERED OR MAILED BY				
WITNESSED BY OFFICER					PRINT NAME AND TITLE			BADGE #	

NOTE: DO NOT SEIZE THE PERSON'S DRIVER'S LICENSE BASED UPON CONSENT TO THE STATE'S BLOOD TEST. Section 5

When DPS receives the test results from an approved laboratory with a result in excess of the legal limit, DPS will send a notice of revocation to the person. (This form and blood specimen collection was done in accordance with OAC 40:20-1-3 COLLECTION, TRANSFERS, AND RETENTION OF BLOOD SPECIMENS.)

Section 6

In accordance with Title 12 O.S. Section 426. "I state under **penalty of perjury** under the laws of Oklahoma that the foregoing is true and correct."

Date _____ Place (location when signed) _____ Signature of Arresting Officer _____ Print Name _____

Agency (list troop if applicable) _____ Address _____ Zip _____ Phone _____

THIS FORM DOES NOT HAVE TO BE NOTARIZED. (Read Section 5)

Complete all sections. Make copies, **front and back**, of this form and distribute as follows:

DISTRIBUTION OF FORM:

1. Give one copy to the person whose blood was withdrawn.
2. **Put the original in the blood kit.**
3. Give one copy to the Prosecutor.
4. Keep one copy for your records.

LAB USE ONLY

NOTICE OF REVOCATION

Under state law, the Department of Public Safety is required to revoke or deny your driver's license and privilege to operate a motor vehicle in this state based on:

- A. 1. Whether you refused the state's test, OR
2. If under the age of 21, whether your test results show an alcohol concentration of 0.02 g/210L or more, OR;
3. If under 21 years of age or older, whether your test results show an alcohol concentration of 0.08 g/210L or more.
- B. When blood is withdrawn and your alcohol concentration exceeds the legal limit, you will receive a notice mailed to the address on file with the Department of Public Safety informing you of the commencement date of the revocation.
- C. The length of revocation is extended if, within the past ten (10) years from the date of this arrest, your driving record shows one or more revocations for the use of intoxicants or under the Implied Consent law.

Accordingly, notice is given that your driver's license is revoked or denied for a period of:

1. One hundred eighty (180) days, if you refused or failed the state's test, OR;
2. One (1) to three (3) years if you have one or more prior revocations stemming from the uses of Intoxicants, test failures or refusals to test.

NOTICE OF DISQUALIFICATION OF COMMERCIAL DRIVING PRIVILEGE

In addition to any revocation required by law, your commercial driving privilege in this state may be disqualified based upon:

- A. Your refusal to submit to a test(s) OR;
- B. A test result of 0.04g/210L or more while operating a commercial motor vehicle.

THE LENGTH OF DISQUALIFICATION WILL BE:

1. One (1) Year if you have had no prior disqualifications for similar cause, OR;
2. Three (3) Years if the vehicle being operated was placarded for hazardous materials and you have no prior disqualifications for similar cause, OR;
3. Lifetime if you have any previous disqualifications for similar cause. When blood is withdrawn and your alcohol concentration exceeds the legal limit, you will receive a notice mailed to the address on file with the Department of Public Safety informing you of the commencement date of the DISQUALIFICATION.

ADMINISTRATIVE HEARING REQUEST

If you wish to appeal the driver's license revocation/disqualification, the Department of Public Safety must receive your written request for an Administrative Hearing **within fifteen (15) days from the date you received notice of revocation or disqualification. A separate notice of revocation/disqualification will be mailed to you if your blood test results exceed the legal limit.** State law does not permit the Department to consider untimely hearing requests.

You may request an Administrative Hearing by submitting your **written** request in person at 3600 N. Martin Luther King Avenue or by mail to the Driver Improvement Bureau, Department of Public Safety, P.O. Box 11415, Oklahoma City, OK 73136. Telephone requests are **not** accepted.

To make a request for a hearing, state in writing that you desire a hearing concerning this matter and either attach a photocopy of the reverse side of this form or include in your written request complete identifying information, including your full name, date of birth, driver's license number, return address, telephone number, date of arrest, and arresting agency.

CONFIRMING LENGTH OF REVOCATION/DISQUALIFICATION AND STATUTORY REQUIREMENTS FOR REINSTATEMENT OF DRIVING PRIVILEGES

Since the length of the driver's license revocation/disqualification period is extended by the existence of a prior record on file (if any), the Department of Public Safety will automatically check your record and confirm the length of revocation/disqualification to you by mail at your last known address on file. You will also receive information regarding statutory requirements for reinstatement. **WARNING: THIS WILL NOT EXTEND THE EFFECTIVE DATE OF THE REVOCATION/DISQUALIFICATION, NOR EXTEND THE TIME FOR YOU TO REQUEST A HEARING.**

BLOOD SPECIMEN TEST RESULTS

The state's blood specimen will be submitted to an approved laboratory for analysis. The test results will be forwarded to the Department of Public Safety. Your driving privileges will not be affected unless you are given separate written notice, as provided by law. State law requires you to notify the Department within ten (10) days of any change of address.

INDEPENDENT TESTING

State law requires the retention of blood specimens. Your specimen will be retained for **sixty (60)** days from the date of collection. During this period, you may request to have your specimen submitted to an approved laboratory for an independent test at your expense. Contact the OSBI Forensic Science Center at 405-330-6724 to request that your specimen be forwarded to an approved laboratory.

APPLICATION FOR RENEWAL OR DUPLICATE LICENSE UNLAWFUL

It is unlawful to apply for a renewal or duplicate driver's license if your license is in the custody of a law enforcement officer of the Department of Public Safety, punishable by imprisonment for not less than seven (7) days, nor more than six (6) months or by a fine of not more than five hundred dollars (\$500.00), or by both such fine and imprisonment. (47 O.S. SECTION 6-303, PARAGRAPH D).