

# STATUTORY WARNING

DIC-24 (Rev. 9/2021)

SUBJECT'S NAME \_\_\_\_\_

DL NO. / STATE \_\_\_\_\_

DOB \_\_\_\_\_

PHYSICAL DESCRIPTION (if unlicensed) Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Eyes: \_\_\_\_\_ Hair: \_\_\_\_\_

DATE OF ARREST: \_\_\_\_\_ TIME OF ARREST: \_\_\_\_\_ COUNTY OF ARREST: \_\_\_\_\_

You are under arrest for an offense arising out of acts alleged to have been committed while you were operating a motor vehicle in a public place, or a watercraft, while intoxicated, or an offense under Section 106.041, Alcoholic Beverage Code. You will be asked to give a specimen of your breath and/or blood. The specimen will be analyzed to determine the alcohol concentration or the presence of a controlled substance, drug, dangerous drug, or other substance in your body.

If you refuse to give the specimen, that refusal may be admissible in a subsequent prosecution. Your license, permit, or privilege to operate a motor vehicle will be suspended or denied for not less than 180 days, whether or not you are subsequently prosecuted for this offense. If you refuse to submit to the taking of a specimen, the officer may apply for a warrant authorizing a specimen to be taken from you.

If you are 21 years of age or older and submit to the taking of a specimen and an analysis of the specimen shows that you have an alcohol concentration of 0.08 or more, your license, permit or privilege to operate a motor vehicle will be suspended or denied for not less than 90 days whether or not you are subsequently prosecuted for this offense. If you are younger than 21 years of age and have any detectable amount of alcohol in your system, your license, permit, or privilege to operate a motor vehicle will be suspended or denied for not less than 60 days. However, if you submit to the taking of a specimen and an analysis of the specimen shows that you have an alcohol concentration of less than 0.08, you may be subject to criminal penalties less severe than those provided for under Chapter 49, Penal Code. If you submit to the taking of a blood specimen, the specimen will be retained and preserved in accordance with Article 38.50, Code of Criminal Procedure.

If you were operating a motor vehicle and you refuse to give the specimen or provide a specimen that shows you have an alcohol concentration of 0.08 or more, you may be disqualified from driving a commercial motor vehicle for a period of not less than one year. You may request a hearing on the suspension or denial. This request must be received by the Texas Department of Public Safety at its headquarters in Austin, Texas, no later than 15 days after you receive or are presumed to have received notice of suspension or denial. The request can be made by written demand, fax, or other form prescribed by the Department.

I certify that I have informed you both orally and in writing of the consequences of refusing to submit to the taking of a specimen or providing a specimen. I certify that I have requested your signature below acknowledging the voluntary consent to the taking of a specimen. I certify I have provided you with a complete and true copy of this statutory warning.

I am now requesting a specimen of your:  **Breath**  **Blood**

## Consent

The subject consented to allow the taking of a specimen and further refused to sign below as requested by this officer.

I am voluntarily consenting to the taking of a specimen. I have been asked to submit to a specimen and have been informed of the consequences of not submitting as evidenced by my signature.

Subject's Signature: \_\_\_\_\_

## Refusal

The subject refused to allow the taking of a specimen and further refused to sign below as requested by this officer.

I am refusing to allow the taking of a specimen as evidenced by my signature below.

Subject's Signature: \_\_\_\_\_

I further certify that because you are a child as defined in Section 51.02, Family Code, the above request for a specimen and your response has been videotaped.

\_\_\_\_\_  
Officer's Signature

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Officer's Printed Name

\_\_\_\_\_  
Telephone No.