Department of the Secretary of State
Bureau of Motor Vehicles

Matthew Dunlap
Secretary of State

REFUSAL

LAW ENFORCEMENT OFFICER'S REPORT RELATING TO IMPLIED CONSENT

NAME: _____ **DATE OF OFFENSE:** _____

ADDRESS: _____ **TIME OF OFFENSE:** _____

D.O.B.: _____ **PLACE OF OFFENSE:** _____

1. By operating or attempting to operate a motor vehicle in this State you have a duty to submit to and complete chemical tests to determine your alcohol level and drug concentration.
2. I will give you a breath test unless I decide it is unreasonable, in which case another chemical test will be given. If you are requested to take a blood test you may ask that your physician perform the test if your physician is reasonably available.
3. If you fail to comply with your duty to submit to and complete chemical tests, your driver's license or permit or right to apply for or obtain a license, will be suspended for a period up to 6 years. Your failure to submit to a chemical test is admissible against you at any trial for operating while under the influence of intoxicating liquor or drugs. If you are convicted of operating while under the influence of intoxicating liquor or drugs, your failure to submit to a chemical test will be considered an aggravating factor at sentencing which in addition to other penalties, will subject you to a mandatory minimum period of incarceration.
4. If you are 21 years of age or older, an additional 275 days of suspension will be imposed if you had a passenger under 21 with you in the vehicle at the time of the offense. If you are less than 21 years old, an additional 180 days of suspension will be imposed if you had a passenger under 21 with you at the time of the offense.

I have been advised of the consequences listed in paragraphs 3 and 4 above of failure to comply with the duty to submit to and complete a chemical test at the request of an officer and DO NOT WISH TO SUBMIT TO A TEST.

_____
(Signature of Person Refusing Test)

TO THE SECRETARY OF STATE:
This officer had probable cause to believe that the above-named person was operating or attempting to operate (check <u>all</u> boxes that apply):

OUI -ALC	☐	a motor vehicle while under the influence of intoxicants
ANY ALC COND	☐	a motor vehicle license while having an alcohol level of more than 0.00 grams per 100 milliliters of blood or 210 liters of breath with a conditional license
DRUGS	☐	a motor vehicle while under the influence of drugs
ALC LEVEL .04/CMV	☐	a commercial motor vehicle while having an alcohol level of 0.04 grams per 100 milliliters of blood or 210 liters of breath, or
HAZ MAT	☐	containing hazardous materials while having an alcohol level of 0.04 grams per 100 milliliters of blood or 210 liters of breath
ANY ALC/MINOR	☐	a motor vehicle while having an alcohol level of more than 0.00 grams per 100 milliliters of blood or 210 liters of breath while under 21 years of age
PASS<21 YRS	☐	a motor vehicle with a passenger under 21 years of age
FATAL	☐	a motor vehicle involved in an accident where a death has or will occur

A law enforcement officer informed the above-named person of the duty to submit and complete a chemical test and of the consequences of the failure to comply with that duty. The above-named person, after being informed, failed to submit to and complete a chemical test.
Sworn before me under oath:

_____ _____
Notary Public Signature of Officer

Dated: _____ _____
Officer's Name Printed or Typed

End Commission Date: _____ _____
Department of Officer

THIS FORM MUST BE RETURNED TO THE SECRETARY OF STATE IMMEDIATELY
Bureau of Motor Vehicles, 29 State House Station, Augusta, Maine, 04333-0029
DI-140 Rev. 10/2009 Telephone: 207-624-9000 Extension: 52106 Web: www.maine.gov/sos/bmv