

DATAMASTER ROOM

- 8. Datamaster Certification- current? Yes / No  
OFFER COPY OF CERTIFICATION CARD
- 9. Did you start the video? Yes/ No Did you tell him you were asking for a breath test? Yes/ No
- 10. IMPLIED CONSENT FORM- OFFER COPY OF IMPLIED CONSENT FORM

- a. Did you give it to him BEFORE you formally asked him for a sample? Yes / No  
If not, why not? \_\_\_\_\_
- b. Which advisement did you give him? The DUI? The Under 21? The Felony DUI? \_\_\_\_\_
- c. Did you read it to him verbatim and ask him to follow along? Yes / No If not, why not? \_\_\_\_\_
- d. Did he seem to understand? Yes / No If not, why not? \_\_\_\_\_
- e. Did he sign the IC form? Yes / No Did you give him a copy BEFORE the test? Yes / No

11. PRE-TEST PROCEDURES

- a. What steps did you take to ready the machine?  
\_\_\_\_\_
- b. Did you check the driver's mouth? Yes / No Anything remarkable? (dentures, etc.) Yes / No
- c. Did you wait twenty minutes? Yes/ No If not, why not? \_\_\_\_\_
- d. During the waiting period, did you observe the driver? Yes / No Did he do anything that would impact the test? Yes / No If yes, what? \_\_\_\_\_
- e. Did the machine indicate it was functioning properly? Yes / No  
What was the demeanor of driver during the wait period? Did he talk? Did you offer more SFSTs?  
\_\_\_\_\_  
\_\_\_\_\_

12. TESTING

- a. Did you offer the breath test? Yes / No
- b. What did the driver do? Did he blow? Did he act like he was blowing? Did he refuse verbally?  
\_\_\_\_\_
- c. If driver blew, what were results?  
\_\_\_\_\_
- d. BAC ticket- OFFER COPY OF BAC TICKET
- e. Did the driver sign the copy? Yes / No  
Did you give the driver a copy? Yes / No

13. NOTICE OF SUSPENSION-  
OFFER COPY OF NOTICE OF SUSPENSION

Additional Information/Comments:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

IF DRIVER WAS TAKEN TO HOSPITAL:

- 1. Did you ask a licensed medical professional (LMP) if driver could leave the hospital to take a breath test? Yes/ No
- 2. What did the LMP say about the condition of the driver?  
\_\_\_\_\_
- 3. What was the name of the LMP and his or her title?  
\_\_\_\_\_
- 4. Did you read the Implied Consent Advisement to driver? Yes/No. Did you give him a copy? Yes/ No
- 5. Did you inform the driver you were asking for blood? For Urine? Yes/No
- 6. What were the results? \_\_\_\_\_



# IMPLIED CONSENT CHECKLIST

*Courtesy of  
 South Carolina  
 Commission on Prosecution Coordination  
 through a grant funded by  
 National Highway Traffic Safety Administration  
 and administered by  
 South Carolina Department of Public Safety*

IMPLIED CONSENT CHECKLIST

ON-SITE

1. Identify yourself by name, rank, law enforcement agency

\_\_\_\_\_

2. Establish jurisdiction- where were you, what road, in what county

\_\_\_\_\_

3. Reasonable suspicion for stop-

a. Bad driving- what did you see?

\_\_\_\_\_

b. Equipment issue- for example, obscured tag?

\_\_\_\_\_

c. Other circumstances? Information received from Dispatch, other officer?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Initiating Contact with driver-

a. What did he look like? Eyes red, glassy?

\_\_\_\_\_

\_\_\_\_\_

b. What did he smell like? Alcohol? Marijuana?

\_\_\_\_\_

\_\_\_\_\_

c. What did he sound like? Slurred speech? Loud?

\_\_\_\_\_

\_\_\_\_\_

d. How did he respond to commands?

\_\_\_\_\_

5. Warnings-

a. Did you give them? Yes / No

b. What warnings? DUI? Felony DUI? Under 21?

c. Did you read it/them verbatim from your card? Yes / No

d. Did driver appear to understand? Yes / No explain: \_\_\_\_\_

\_\_\_\_\_

SFSTs

a. Did you offer them? Yes / No if not, why not?

\_\_\_\_\_

b. Are you trained to do them? Yes / No

c. Which did you offer? HGN WAT OLS

d. What clues did the driver exhibit?

HGN \_\_\_\_\_

\_\_\_\_\_

WAT \_\_\_\_\_

OLS \_\_\_\_\_

8. Based upon those clues exhibited, together with your other observations (slurred speech, odor, bloodshot eye) did you conclude that the driver was driving under the influence? Yes / No

7. Arrest of Driver-

a. Did you have probable cause for arrest? Yes / No What was the probable cause?

\_\_\_\_\_

\_\_\_\_\_

b. Did you tell him what he was under arrest for? Yes / No