When are drivers tested?

- When they consent to testing.
- When the driver is on a public roadway and there is probable cause to believe they committed a DUI. (Officer must have p/c and have arrested the person for DUI. Will need a search warrant if the driver refuses.)
- When there is a traffic crash with a fatality or great bodily harm on a public roadway. (Officer must have issued the driver a moving violation. Will need a search warrant if the driver refuses.)
- When the driver is on private property, there is probable cause to believe the driver is DUI, and the officer obtains a search warrant.
- When following a traffic crash, the driver is taken to the hospital and there is a blood draw done for medical treatment purposes. Those results SHALL be given to the police upon request.

When are drivers NOT tested?

- When the crash occurs on a public roadway, no one is injured, and there is no probable cause to believe that a DUI occurred.
- When the driver refuses a blood draw following the execution of a DUI Search Warrant and the officer does not forcibly compel the draw.