

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

4400 BROAD RIVER ROAD
COLUMBIA, SOUTH CAROLINA 29210

POLICY #: 8.12.4	DATE: 09/01/93	REVISION DATE:
TITLE: IMPLIED CONSENT - BUI WARNING		PAGE 1 OF 1
RESPONSIBLE AUTHORITY: SPECIAL AGENT IN CHARGE OF FORENSIC SERVICES LABORATORY		
RELATED STANDARDS/STATUTES/REFERENCES: <u>S.C. Code of Laws</u> , Section 50-21-114		

GENERAL PURPOSE: To set forth policies for the administration of implied consent breath alcohol tests.

POLICY: The breath test operator will read the Boating Under the Influence (BUI) warning before administration of an implied consent breath alcohol test for a BUI violation.

SPECIFIC PROCEDURES: The Boating Under the Influence (BUI) Warning is to be read to subjects given breath alcohol tests for BUI violations (50-21-112, 1976 South Carolina Code of Laws, as amended). The standard implied consent warning as printed on the breath test form should not be read in this case. The BUI warning is:

"Implied Consent Warning: Subject Advised: I must now tell you that the arresting officer has directed me to give you a breath test. I am trained and certified by the South Carolina Law Enforcement Division - SLED - to give this test. You have the right to refuse to take this test. If you refuse to take this test, your privilege to operate, navigate, steer, or drive a vessel, or be in actual physical control of a moving vessel, or manipulate any moving water skis, moving aquaplane, moving surfboard, or similar moving device must be suspended or denied for one hundred eighty days. You have the right to additional, independent tests. Whether you take this breath test or not, you will be given reasonable assistance in contacting a qualified person, of your own choosing, to conduct any additional tests. You will have to pay for any additional tests."