

PRINTED COVER

DWI CITATION AND LAW ENFORCEMENT OFFICER'S STATEMENT INSTRUCTIONS

THIS BOOK CONTAINS TEN SETS OF A TWO PART FORM. THE FIRST PART IS THE DWI CITATION CONSISTING OF FIVE (5) COPIES AND THE SECOND IS THE LAW ENFORCEMENT OFFICER'S STATEMENT CONSISTING OF TWO (2) COPIES. INSERT THE BOOK FLAP BETWEEN THE TWO PARTS AND FILL OUT THE DWI CITATION. THIS WILL AUTOMATICALLY FILL OUT THE DRIVER INFORMATION PORTION OF THE STATEMENT PART. ONCE THIS HAS BEEN DONE, INSERT THE BOOK FLAP BETWEEN THE STATEMENT PART AND THE NEXT CITATION AND THEN COMPLETE THE STATEMENT PART. BOOKS ARE PRE-ASSIGNED TO SPECIFIC AGENCIES BY CONTROL NUMBERING SEQUENCE AND ARE NOT TRANSFERABLE TO OTHER AGENCIES.

PLEASE PRINT AND PRESS HARD USING A BALL POINT PEN. ALL COPIES MUST BE LEGIBLE

THE LAW ENFORCEMENT OFFICER'S STATEMENT PART HAS THREE SECTIONS: THE NOTICE OF REVOCATION, THE TEMPORARY DRIVING PRIVILEGES AND THE STATEMENT ITSELF.

THE NOTICE OF REVOCATION MUST BE SIGNED AND ISSUED WHEN:

1. The officer has immediate access to the test results showing a BAC of .02 or greater for persons under the age of twenty-one (21) or a BAC of .08 or greater for persons twenty-one (21) years of age or older, or .04 or greater and the person was driving a commercial motor vehicle, or
2. The driver refuses to submit to a chemical test.
3. If the law enforcement officer serves the Notice of Revocation on the driver, the officer will also ask the driver to sign the notice acknowledging receipt. If the driver is unable or refuses to sign, the officer shall mark the appropriate box.

CONFISCATE NEW MEXICO DRIVER'S LICENSE WHEN THE FOLLOWING CONDITIONS ARE MET:

1. Test results show a BAC of .02 or greater for persons under the age of twenty-one (21) or a BAC of .08 or greater for persons twenty-one (21) years of age or older; or .04 or greater and the person was driving a commercial motor vehicle, or
2. The driver refuses to submit to a chemical test.

DO NOT CONFISCATE AN OUT-OF-STATE DRIVER'S LICENSE.

IF TEST RESULTS ARE NOT IMMEDIATELY AVAILABLE (BLOOD DRAWN):

1. Issue the DWI Citation but DO NOT confiscate driver's license.
2. DO NOT issue Notice of Revocation or grant Temporary Driving Privileges.
3. DO NOT complete and/or serve the Law Enforcement Officer's Statement on the driver.
4. Upon receipt of the test results from the laboratory, complete the Statement part indicating the appropriate BAC level with officers signature and mail the MVD copy and the violator's copy to the Motor Vehicle Division. The Motor Vehicle Division will notify the driver of the revocation.

DISTRIBUTION OF COPIES

PART 1, DWI CITATION

- 1st & 2nd Copies: The ABSTRACT COPY and the COURT COPY are attached at the bottom so they can be removed together and both sent to the court.
- 3rd Copy: The VIOLATOR'S COPY is given to the violator by the officer in every case.
- 4th Copy: The MOTOR VEHICLE DIVISION COPY is to be mailed to the MVD.
- 5th Copy: The ISSUING AGENCY/STATISTICAL COPY is to be retained by the officer and reported as instructed.

PART 2, LAW ENFORCEMENT OFFICER'S STATEMENT

- 1st Copy: The MOTOR VEHICLE DIVISION COPY is to be signed and mailed to the MVD.
- 2nd Copy: The VIOLATOR'S COPY is to be served on the driver only when chemical test has been administered and results are immediately available or driver has refused to submit to a chemical test. **See above when blood is drawn and test results are not immediately available.**

MAILING ADDRESS

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Driver Services Bureau, DWI Section
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