

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

4400 BROAD RIVER ROAD  
COLUMBIA, SOUTH CAROLINA 29210

**8.12.3 IMPLIED CONSENT - CDL WARNING**

POLICY #: 8.12.3	DATE: 09/01/93	REVISION DATE: 12/13/00
TITLE: IMPLIED CONSENT - CDL 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, Section 56-1-2130</u>		

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

**POLICY:** The arresting officer will read the Commercial Driver's License (CDL) warning before administration of an implied consent breath alcohol test for a CDL violation.

**SPECIFIC PROCEDURES:**

- A. The Commercial Driver License (CDL) Act warning is to be read to subjects given breath alcohol tests for CDL violations (Section 56-1-2120, 1976 South Carolina Code of Laws, as amended). If a DUI, Illegal Per Se, or Felony DUI charge is also involved, the applicable warning should also be read from the "ADVISEMENT OF IMPLIED CONSENT RIGHTS/VIDEOTAPING" form. However, if no DUI or Felony DUI charge is involved, only the CDL warning should be read. The arrest status and rights advisement for implied consent breath, blood, and urine tests for CDL will come from the "ADVISEMENT OF IMPLIED CONSENT RIGHTS FOR BUI, CDL, AND FUI" form. One form should be completed each time a sample(s) is requested by the officer. For example, if a breath test is performed and then a urine sample is collected later, two separate forms should be completed.

BY ORDER OF:

  
CHIEF OF SLED