

E 22, 23, 24, 25, 26, 27, 28



AGE 21 AND OLDER OFFICER'S STATEMENT  
SECTIONS 13353 & 13353.2 CALIFORNIA VEHICLE CODE (CVC)

DS-367

APS

FORWARD THIS FORM WITHIN 5 BUSINESS DAYS TO YOUR LOCAL DRIVER SAFETY DISTRICT OFFICE, LISTED ON THE BACK OF PAGE 2

LAW ENFORCEMENT AGENCY CASE NO. 336	ARREST DATE 18	FOR DMV USE ONLY		
DRIVER'S NAME (LAST, FIRST, MI.) N-13	DRIVER LICENSE NO. 284	CLASS 282	STATE 285	THUMB PRINT (Right thumb or specify) N-143
MAILING ADDRESS N-731		STATE	ZIP CODE	
DOB: N-4	(Sex: Hair: Eyes: Ht.: Wt.):			
Driver License: <input checked="" type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered to Officer (Attach) <input checked="" type="checkbox"/> Not in Possession <input checked="" type="checkbox"/> Unlicensed (22)				
<input checked="" type="checkbox"/> 0.08% or more BAC Chemical Tests Results <input checked="" type="checkbox"/> Chemical Test Refusal <input checked="" type="checkbox"/> Forced Blood Test				

Vehicle Lic. No. or VIN 514 04 571 COMMERCIAL VEHICLE: Vehicle operation requires a commercial driver license (Section 15210 CVC). On N-36 at N-37 AM/PM in (City and County) N-38 N-39 CA, the above named driver was:

- Driving:  observed by this officer or  the observer shown in the shaded area below,  admitted to driving.
  - Arrested per Section 40300.5 CVC. (Describe details in probable cause section on second page.)
  - Involved in a collision. Attach collision report. In the probable cause section on the second page, describe how time of collision was established.
- N-40
- N-41 I had reasonable cause to believe the driver was driving a motor vehicle with alcohol and/or drugs present in the blood or while under the influence. The driver was arrested by this officer or by the person shown in the shaded area below on (Month/Day/Year) at AM/PM for violation of Section 23152 or 23153 CVC, or Section 191.5(a) or 192(c) of the Penal Code.
- N-42 PROBABLE CAUSE. Describe in detail the facts and circumstances that led to the stop or contact. If driving was observed by someone other than the arresting officer, what did the observer say? State details on second page of this form hereby incorporated by reference. Complete shaded area only if driving/collision observed by someone other than arresting officer or arrest done by another officer.



N-43 OBJECTIVE SYMPTOMS OF INTOXICATION:  Bloodshot/watery eyes  Odor of alcoholic beverage  Unsteady gait  Slurred speech  
 Other: Observed by: N-44 at N-45 AM/PM

**CHEMICAL TEST 0.08% OR MORE BLOOD ALCOHOL CONCENTRATION (BAC)**

Breath Test Results (Attach copy of the results, if available)  
TEST 1 N-46% BAC on N-47 N-48 AM/PM TEST 2 N-49% BAC on N-50 N-51 AM/PM TEST 3 N-52% BAC on N-53 N-54 AM/PM

BREATH TEST MACHINE OPERATOR'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California, that the above breath test sample results were obtained in the regular course of my duties. I further certify that I am qualified to operate this equipment and that the test was administered pursuant to the requirements of Title 17 of the California Code of Regulations.  
Date N-56 Signature X N-55 Badge/ID No. 352 Agcy./Div. 106, N-6

Blood Test Results  Blood Test on N-57 N-58 AM/PM

Urine Test Results N-59 Both Breath and Blood tests unavailable. N-60 Drug use suspected.  
N-61 Urine Test First Void on N-62 N-63 AM/PM Test on N-64 N-65 AM/PM

I certify under penalty of perjury, under the laws of the State of California, that the information contained on all pages of this Officer's Statement is true and correct.  
EXECUTED ON: Date N-9 AT: City N-66 County N-66 State N-66

OFFICER'S PRINTED NAME 353	BADGE/ID NO. 352	TELEPHONE NO. N-7
AGENCY N-26	AREA E24	COURT CODE (IF UNKNOWN, COURT NAME) 214.02189
ISSUE DATE OF ORDER E26	SIGNATURE OF ARRESTING OFFICER N-8	

I did  did not personally serve a copy of the Order of Suspension/Revocation to the driver...  
IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:  
ISSUE DATE OFFICER'S PRINTED NAME BADGE/ID NO. SIGNATURE OF OFFICER  
E27 353 352 N-8

DS-367 (REV. 11/2004) White - DMV Yellow - Law Enforcement Pink - Driver continued on reverse  
DMV 367 ANNOTATED W/O REVERSE OF PGS 2,3  
V3 3/14/05

E-28

367 ANNOTATED

CHEMICAL TEST REFUSAL (13353 CVC)

DS-367 (reverse)

CHEMICAL TEST ADMONITION (23612 CVC)

I admonished the driver on \_\_\_\_\_ at \_\_\_\_\_ AM/PM in \_\_\_\_\_ CA.

- 1. You are required by state law to submit to a chemical test to determine the alcohol and/or drug content of your blood.
2. a. Because I believe you are under the influence of alcohol, you have a choice of taking a breath or blood test.
b. Because I believe you are under the influence of alcohol and drugs, you have a choice of taking a breath, blood or urine test.
c. WHEN APPLICABLE: Since the breath and blood tests are unavailable, you are deemed to have given your consent to chemical testing of your urine.
d. WHEN APPLICABLE: Since you need medical treatment, your choice is limited to \_\_\_\_\_ test(s), the only test(s) available at \_\_\_\_\_.
3. If you refuse to submit to, or fail to complete a test, your driving privilege will be suspended for one year or revoked for two or three years.
4. Refusal or failure to complete a test may be used against you in court.
5. You do not have the right to talk to an attorney or have an attorney present before stating whether you will submit to a test, before deciding which test to take, or during the test.
6. If you cannot, or state you cannot, complete the test you choose, you must submit to and complete a remaining test.

RESPONSE TO: Will you take a Breath test? \_\_\_\_\_ Blood test? \_\_\_\_\_

Both Breath and Blood tests are unavailable. EXPLAIN: \_\_\_\_\_
Drug use suspected. \_\_\_\_\_

RESPONSE TO: Will you take a urine test? \_\_\_\_\_

The driver refused to submit to or failed to complete any test. The refusal or failure was indicated by the following statements or actions: \_\_\_\_\_

If not given in English, admonition was given in Spanish Other language (specify) \_\_\_\_\_

If the above Chemical Test Admonition was read to arrestee by another officer, indicate that officer's:

Name \_\_\_\_\_ Badge/ID No. \_\_\_\_\_ Agency \_\_\_\_\_ Phone No. ( ) \_\_\_\_\_

DRUG ADMONITION SUPPLEMENT

I believe the driver was driving under the influence of drugs or a combination of drugs and alcohol. In addition to the breath test results and information listed on the front, my belief is based on the following facts: \_\_\_\_\_

DRUG ADMONITION: Blood and Urine Only

- 1. The breath test you have just taken is designed to detect only the alcohol content of your blood.
2. Because I believe you are under the influence of drugs or a combination of drugs and alcohol, you are required by state law to submit to a blood or urine test to determine the drug content of your blood.
3. If you refuse to submit to, or fail to complete a test, your driving privilege will be suspended for one year or revoked for two or three years.
4. Refusal or failure to complete a test may be used against you in court.
5. You do not have the right to talk to an attorney or have an attorney present before stating whether you will submit to a test, before deciding which test to take, or during the test.
6. If you cannot, or state you cannot, complete the test you choose, you must submit to and complete the remaining test.

If the above Drug Admonition was read to the arrestee by another officer, indicate that officer's:

Name \_\_\_\_\_ Badge/ID No. \_\_\_\_\_ Agency \_\_\_\_\_ Phone No. ( ) \_\_\_\_\_

If not given in English, admonition was given in Spanish Other language (specify) \_\_\_\_\_

Response to: Will you take a Blood test? \_\_\_\_\_ Urine test? \_\_\_\_\_

The driver refused to submit to or failed to complete any such test. The refusal or failure was indicated by the following statements or actions: \_\_\_\_\_

367 ANNOTATED



OFFICER'S STATEMENT - PAGE 2  
SECTIONS 13353 AND 13353.2 CVC

DS-367  
Pg 2

APS

LAW ENFORCEMENT AGENCY CASE NO. 336	ARREST DATE 18	FOR DMV USE ONLY			
DRIVER'S NAME (LAST, FIRST, M.I.) N-13	DRIVER LICENSE NO. 284	CLASS 282	STATE 285	THUMB PRINT (Right thumb or specify)	
MAILING ADDRESS N-731	STATE	ZIP CODE			
DOB: N-4	Sex:	Hair:	Eyes:	Ht.:	Wt.: )
Driver License: <input checked="" type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered to Officer (Attach) <input checked="" type="checkbox"/> Not in Possession <input checked="" type="checkbox"/> Unlicensed <input checked="" type="checkbox"/> 0.08% or more BAC Chemical Tests Results <input checked="" type="checkbox"/> Chemical Test Refusal <input checked="" type="checkbox"/> Forced Blood Test					

N143

PROBABLE CAUSE (DESCRIBE IN DETAIL THE FACTS AND CIRCUMSTANCES THAT LED TO THE STOP OR CONTACT.)  
THE NARRATIVE MUST BE AN ORIGINAL. PRINT OR WRITE DIRECTLY ON THIS PAGE.

N-42



367 ANNOTATED

DMV  
A Public Service Agency  
COMPLETE IN BLACK INK

AGE 21 AND OLDER - PAGE 3  
ADMINISTRATIVE PER SE  
SUSPENSION/REVOCATION ORDER  
AND TEMPORARY DRIVER LICENSE

DS-367 Pg 3 APS  
DRIVER MUST BE GIVEN A COPY OF THIS  
ORDER WHEN COMPLETED BY THE OFFICER  
DMV Telephone Number (916) 857-0214

LAW ENFORCEMENT AGENCY CASE NO. 336	ARREST DATE 18	FOR DMV USE ONLY		
DRIVER'S NAME (LAST, FIRST, M.I.) N-13	DRIVER LICENSE NO. 284	CLASS 282	STATE 285	
MAILING ADDRESS N-731		STATE	ZIP CODE	
DOB: N-4	Sex: ← N 30 →	Hair:	Eyes:	Ht.: Wt.:
Driver License: <input checked="" type="checkbox"/> Suspended/Revoked <input type="checkbox"/> Surrendered to Officer (Attach) <input type="checkbox"/> Not in Possession <input type="checkbox"/> Unlicensed <input checked="" type="checkbox"/> 0.08% or more BAC Chemical Tests Results <input type="checkbox"/> Chemical Test Refusal <input checked="" type="checkbox"/> Forced Blood Test				



You are hereby notified that your privilege to operate a motor vehicle will be suspended or revoked effective 30 days from the issue date of this order as shown below, and until you pay a \$125 reissue fee and file proof of financial responsibility as shown on the reverse.

**TEMPORARY DRIVER LICENSE**

This document must be carried with you and shall serve as your temporary California driver license. It is subject to the same class(es) and all restrictions as your permanent driver license. This temporary driver license does not provide you with any driving privileges if you do not have a California driver license or your license is expired, suspended, revoked, canceled or denied. It expires at midnight 30 days from the issue date of this order shown below.

This action is taken under authority of Section 13353 or 13353.2 of the Vehicle Code (VC) because you were arrested for driving under the influence of alcohol and/or drugs and:

<b>BAC 0.08% Breath or Blood Test</b>	You completed a breath test with 0.08% BAC or more, or you completed a blood test and the officer believes the results will show 0.08% BAC or more. If the laboratory results show that your BAC is less than 0.08%, this suspension or revocation will be set aside. Your driver license will be reissued to you if you do not have another suspension or revocation in effect.
<b>BAC 0.08% Urine Test</b>	You completed a urine test and the officer believes the results will show 0.08% BAC or more. If the laboratory results show that your BAC is less than 0.08%, this suspension or revocation will be set aside. Your driver license will be reissued to you if you do not have another suspension or revocation in effect.
<b>Chemical Test Refusal</b>	You refused to submit to, or failed to complete, a chemical test of the alcohol and/or drug content of your blood.

**HEARING INFORMATION**

YOU HAVE 10 DAYS FROM RECEIPT OF THIS NOTICE TO REQUEST A HEARING TO SHOW THAT THE SUSPENSION OR REVOCATION IS NOT JUSTIFIED. The suspension or revocation will not be stayed (delayed) unless you request a hearing within 10 days from the issue date of this order and DMV cannot provide a hearing before the effective date of the suspension or revocation and make a determination. Hearings are conducted only to determine questions of fact as described on the reverse. Your need for a license cannot be considered at a hearing. If you want a hearing or have questions regarding this matter, contact the DMV at the telephone number shown above. A telephone hearing will be conducted unless you request an in-person hearing. Before the hearing you may see or obtain copies of the department's evidence. You must request copies of the department's evidence at least 10 days prior to the date set for commencement of the hearing in order to receive them prior to the hearing date. If you want the information released to someone else, give them signed permission. You have the right to have a sign or language interpreter present at your hearing. If you require the service of an interpreter immediately notify DMV of the need for such service. During the hearing you may present oral testimony and/or other evidence. Testimony is taken under oath or affirmation, and the hearing is recorded. You may be represented by legal counsel, or you may represent yourself. The arresting officer(s) may be subpoenaed in this matter, if it is determined that his or her testimony is needed. If you wish to question the arresting officer(s), you have the right to have subpoenas issued on your behalf. You may subpoena any other witness(es) you feel may help your case, and you have the right to cross-examine any opposing witness(es). Subpoenas will be issued by the hearing officer upon request prior to the hearing. You are responsible for service of your subpoena(s) and any witness fees required by law. After the hearing the hearing officer shall make findings and render a decision. You may request a departmental review in writing within 15 days from the date on the bottom of the notice telling you the results of your hearing. The fee for the Departmental review is \$120. You may also appeal a DMV decision by filing a writ of mandamus at the superior court in your county of residence within 30 days from the date on the bottom of the notice telling you the results of your hearing.

OFFICER'S PRINTED NAME 353	BADGE/ID NO. 352	TELEPHONE NO. N17
AGENCY N26	AREA E 2.4 v	COURT CODE (IF UNKNOWN, COURT NAME) 214 or 189
ISSUE DATE OF ORDER E 26	SIGNATURE OF ARRESTING OFFICER: N-8	
<input checked="" type="checkbox"/> did <input type="checkbox"/> did not personally serve a copy of the Order of Suspension/Revocation to the driver.		
IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:		
ISSUE DATE E 27	OFFICER'S PRINTED NAME 353	BADGE/ID NO. 352
		SIGNATURE OF OFFICER N 8

DS 367 (REV. 11/2000)

White—DMV Yellow—Law Enforcement Pink—Driver

continued on reverse