

Unit Goal: Demonstrate and apply a working knowledge of the detection, apprehension, and arrest of the intoxicated driver.

23.1. Successful completion of the National Highway Traffic Safety Administration (NHTSA) SFST Course.

Instructor Note: Follow objectives of the newest SFST course. See Abstract for website to find the most current materials.

Instructor Note: It is highly encouraged to conduct at least one "wet lab workshop" (with actual drinking subjects).

23.2. Discuss the chemical tests.

Chemical Tests

- Applicability - TC 724.002
- Consent to Taking of Specimen - TC 724.011
- Taking of Specimen - TC 724.012
- Prohibition on Taking Specimen if Person Refuses; Exception - TC 724.013
- Person Incapable of Refusal - TC 724.014
- Information Provided by Officer Before Requesting Specimen - TC 724.015
- Breath Specimen - TC 724.016
- Taking of Blood Specimen - TC 724.017
- Furnishing Information Concerning Test Results - TC 724.018
- Additional Analysis by Request - TC 724.019
- Statement Requested on Refusal - TC 724.031
- Officer's Duties for License Suspension; Written Refusal Report - TC 724.032

23.3. Recognize and prepare necessary forms concerning the intoxicated driver.

Lecture Scenario: Use the following forms as handouts. Have the students practice completing them. Intoxicated driver forms:

- Peace Officer's Sworn Report - DIC-23
- Statutory Warning - DIC-24
- Notice of Suspension - DIC-25
- D.W.I. Case Report
- Mandatory Blood Draws Form - THP-51

Lecture scenario: Discuss with students.

- STATUTORY AUTHORIZATION – MANDATORY BLOOD SPECIMEN FORM
- Curtis v. State - Texas Court of Criminal Appeals: Reference reasonable suspicion to make traffic stop based on a vehicle weaving. The training and experience of the officer, most specifically as it applies to DWI enforcement, was taken into account in this case and it was held that the stop for fail to maintain a single marked lane was reasonable.

23.4. Identify the laws allowing dangerous drivers to borrow motor vehicles and forfeiture.

- Allowing Dangerous Driver to Borrow Motor Vehicle; Offense - TC 705.001