

Implied Consent and Chemical Testing Issues in OUI Investigations



MISSION STATEMENT

Our mission is to reduce companies' risks and increase safety through affordable training, education, and customized consultation to private sector businesses and public safety organizations.

CONTACT US

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Maine's Implied Consent law and the relevant chemical testing procedures are an area of dynamic change in both statutory and case law around impaired driving investigations.

Recent changes to Maine statutory law, the HETL procedures, as well as important cases handed down from both the SCOTUS and the Maine Law Court affect chemical testing collection and their subsequent admissibility. This is especially relevant for OUI drug investigations and blood testing.

Sponsored by the Maine Bureau of Highway Safety, this class is designed for impaired driving investigating officers (especially DREs), prosecutors, and BMV Hearings Examiners (CLE Application pending for attorneys)

Course discussion topics include: Constitutional Rights and Chemical Testing; Implied Consent and Chemical Testing; How Implied Consent and Constitutional Rights Intersect; DRE Evaluations and Chemical Testing; Chemical Testing for drug OUI's when a DRE is not available.

This class includes the following scenarios to work through:

- ✓ No DRE available, no probable cause of drug impairment.
- ✓ No DRE available, strong probable cause of drug impairment.
- ✓ Breath test and then refusal of urine test after a drug assessment.
- ✓ Refusal of any chemical test.
- ✓ Breath test and then a refusal of a drug assessment.
- ✓ Breath test, drug assessment & then obtaining consent after refusal.

Date: Offered several time a year in locations across the state.

Time: 0800-1600

Cost: **FREE.** This class is sponsored by the Maine Bureau of Highway Safety

Co-Instructor: Josh Saucier, Esq., Assistant TSRP



INSTRUCTOR:
Scot Mattox, Esq.
Traffic Safety
Resource Prosecutor