

§10702. Chemical tests

1. Duty to submit. A person who hunts wild animals or wild birds or operates or attempts to operate a watercraft, snowmobile or ATV within this State has a duty to submit to a test to determine that person's alcohol level or drug concentration by analysis of blood, breath or urine if there is probable cause to believe that the person is hunting wild animals or wild birds or operating or attempting to operate a watercraft, snowmobile or ATV while under the influence of intoxicating liquor or drugs. The duty to submit to an alcohol level or drug concentration test includes the duty to complete either a blood, breath or urine test or any combination of those tests. Tests and procedures for determining whether a person is under the influence of intoxicating liquor or drugs are governed by section 10703.

A. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §76 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §76 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2009, c. 447, §9 (AMD).]

2. Failure to comply with duty to submit. A person shall submit to and complete an alcohol level or drug concentration test, or both, when requested to do so by a law enforcement officer who has probable cause to believe that the person hunted or operated or attempted to operate a watercraft, snowmobile or ATV while under the influence of intoxicating liquor or drugs.

A. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §76 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §76 (RP); PL 2003, c. 655, Pt. B, §422 (AFF).]

[PL 2009, c. 447, §10 (AMD).]

3. Penalties. A person who violates this section commits a civil violation for which a fine of up to \$500 may be adjudged.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §76 (RPR); PL 2003, c. 655, Pt. B, §422 (AFF).]

SECTION HISTORY

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §B76 (RPR). PL 2003, c. 655, §B422 (AFF). PL 2009, c. 447, §§9, 10 (AMD).

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