STATUTORY AUTHORIZATION – MANDATORY BLOOD SPECIMEN THP-51 (Rev. 9/09)

Name of Arrestee: _____

Date and Time Specimen Extracted: _____

Facility Where Specimen Extracted: _____

Pursuant to the provisions of Texas Transportation Code, § 724.012, the undersigned peace officer requires that the above-named person (hereafter "suspect") give a specimen of blood under the provisions of Texas Transportation Code (TRC), Ch. 724, Subchapter B.

Acting in my capacity as a peace officer, I have arrested the suspect for an offense under Chapter 49 of the Texas Penal Code, based on my reasonable belief that the suspect was operating a motor vehicle or watercraft while intoxicated. The suspect refused my request to voluntarily submit to the taking of a specimen. When I arrested the suspect, I reasonably believed that (check all that apply):

☐ **Accident with death, serious bodily injury, or hospital treatment for bodily injury.** The suspect was involved in an accident that I reasonably believe occurred as a result of the suspect's intoxication. When I arrested the suspect, I reasonably believed that as a direct result of the accident:

- ♦ a person other than the suspect has died or will die;
- ♦ a person other than the suspect suffered serious bodily injury; or
- ♦ a person other than the suspect suffered bodily injury and was transported to a hospital or medical facility for medical treatment

☐ **DWI With Minor Child Under 15**. A child under 15 years of age was a passenger in the vehicle operated by the suspect while intoxicated.

☐ **Prior Conviction for Specified Offense**. At the time of the suspect's arrest, I possessed or received reliable information from a credible source the suspect had previously been convicted or received community supervision of an offense under Section 49.045 (DWI With/Child Under 15), 49.07 (Intoxication Assault), or 49.08 (Intoxication Manslaughter), Texas Penal Code, or an offense under the laws of another state containing elements substantially similar to the elements of an offense under those sections.

☐ **DWI 3rd.** At the time of the suspect's arrest, I possessed or received reliable information from a credible source that on two or more occasions the suspect had previously been convicted of or placed on community supervision of an offense under Section 49.04 (DWI), 49.05 (FWI), 49.06 (BWI), or 49.065 (Amusement Ride W/Intoxicated), Texas Penal Code, or an offense under the laws of another state containing elements substantially similar to the elements of an offense under those sections.

Therefore, I now am invoking my authority under TRC, Section 724.012(b), to require the suspect to submit to the taking of a specimen of the suspect's blood as required by TRC, Section 724.012(b).

Pursuant to my authority under TRC, Section 724.012(b), this is an **ORDER FROM A PEACE OFFICER** to you to draw a specimen of blood from the suspect. As provided by TRC, Section 724.017, the person who takes a blood specimen under TRC, Chapter 724, or the hospital or medical facility where the blood specimen is taken, is immune from civil liability for damages arising from this ORDER to take the blood specimen if the specimen is taken according to recognized medical procedures, although TRC, Section 724.017 does not release a person from liability for negligence in the taking of the specimen. Under TRC, Section 724.017, the taking of a blood specimen from a person who resists the taking of the specimen does not in itself constitute negligence and may not be considered evidence of negligence. A person whose blood specimen is taken under TRC, Chapter 724, is not considered to be present in the hospital for medical treatment or screening unless the appropriate hospital personnel determine that medical treatment or screening is required for proper medical care of the person.

DIB USE ONLY

_____
Officer's Signature / Agency

_____
Printed Name Badge or ID No.

_____
Name of Person Form Delivered To

_____
Name and Occupation of Person Taking Specimen