

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.82144 Refusal to submit to chemical test; court order; report to secretary of state.

Sec. 82144. (1) If a person refuses the request of a peace officer to submit to a chemical test offered under section 82137 or 82138, a test shall not be given without a court order, but the officer may seek to obtain the court order.

(2) If a person refuses a chemical test offered under section 82137 or 82138, or submits to the chemical test and the test reveals a blood alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, the peace officer who requested the person to submit to the test shall immediately forward a written report to the secretary of state. The report shall state that the officer had reasonable grounds to believe that the person had committed a crime described in section 82143(1), and either that the person has refused to submit to the test upon the request of the peace officer and has been advised of the consequences of the refusal or that the test revealed a blood alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine. The form of the report shall be prescribed and furnished by the secretary of state.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 1996, Act 183, Imd. Eff. May 3, 1996;—Am. 2014, Act 404, Eff. Mar. 31, 2015.

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