

**CERTIFICATION AND NOTICE OF SUSPENSION OF TEST RESULT OF .02 OR GREATER, BUT LESS THAN .08
FOR PERSONS UNDER 21 YEARS OF AGE
(SEE REVERSE SIDE FOR HEARING INFORMATION)**

INSTRUCTIONS: This form is to be used to certify a completed test result by a person less than 21 years of age of .02 or greater, but less than .08. A copy of the completed form is required to be served upon the person; a copy is to be forwarded to the Division of Vehicles within seven days after service on the driver; and a copy should be retained by a certifying officer. **If the person refuses the test or completes a test with a test result of .08 or greater, complete Form DC-27 instead of this form.**

DRIVER INFORMATION

Name (Last)	(First)	(M/I)	Date of Birth
Current Address		City	
		State	
Driver's License No.	State of Issuance	Zip	

ADDRESS: The above address will be treated as a change of address if different from that on file with the Division of Vehicles and will be used for all correspondence with the person unless the Division of Vehicles is notified by the person in writing of a different address or a change of address. You can change your address on the Internet, by mail or fax to Central Office Operations, or by going to any Kansas Driver's License Examining Station.

LAW ENFORCEMENT OFFICER'S CERTIFICATION

CERTIFICATION INSTRUCTIONS: To certify that a person less than 21 years of age has completed a breath or blood alcohol test with a result of .02 or greater, but less than .08, (1) each officer must complete the statement, if necessary, (2) at least one officer must initial on the line to the left of each of the statements intended to be certified and (3) each officer who initials a statement must sign in the space provided below.

- _____ 1. On _____, 20____, reasonable grounds/probable cause existed to believe that the above-named person, within the State of Kansas in _____ County, had been
 - operating a vehicle while under the influence of alcohol and/or drugs in violation of state statute, city ordinance or county resolution,
 - driving a commercial vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, while having alcohol or other drugs in such person's system, or
 - was under the age of 21 years and had been operating or attempting to operate a vehicle while having alcohol or other drugs in such person's system.
- _____ 2. The person had been placed under arrest, was in custody or had been involved in a vehicle accident or collision.
- _____ 3. The person was presented oral and written notice as required by Kansas law.
- _____ 4. The person was less than 21 years of age at the time of the test request.
- _____ 5. **The result of the test showed that the person had an alcohol concentration of .02 or greater, but less than .08 in such person's blood or breath. NOTE: Please attach a readable copy of the test report.**
- _____ 6. Reasonable grounds/probable cause for the initial contact and/or stop: committed traffic violation(s) (explain below); officer arrived at scene of accident; vehicle already stopped; other (explain) _____
- _____ 7. Reasonable ground/probable cause for my belief that the person was operating or attempting to operate a vehicle: saw person operate; person identified self as driver; other (explain) _____
- _____ 8. Reasonable grounds/probable cause for my belief that the person was under the influence of alcohol and/or drugs: odor of alcoholic beverages; alcoholic beverages found in vehicle; sobriety tests indicated impairment; refused sobriety tests; slurred speech; bloodshot eyes; difficulty in communicating; poor balance or coordination; person stated that alcohol/drugs consumed; failed preliminary screening test; refused preliminary screening test; other (explain) _____
- _____ 9. A copy of this document which contains a Notice of Driver's License Suspension was served on the above-named person on _____, 20____ by (check one) personal service; or mailing by first-class mail to the address shown above. **NOTE:** Personal service is required if a determination of the test result is made while the person is in custody.

IF CERTIFYING A BREATH TEST RESULT, STATEMENTS 10, 11 AND 12 MUST ALSO BE COMPLETED AND CERTIFIED.

- _____ 10. The testing equipment used was certified by the Kansas Department of Health and Environment.
- _____ 11. The testing procedures used were in accordance with the requirements set out by the Kansas Department of Health and Environment.
- _____ 12. The person who operated the testing equipment was certified by the Kansas Department of Health and Environment to operate such equipment.

I hereby certify to the Division of Vehicles that each of the statements I have initialed above are true and accurate, under penalty of K.S.A. 8-1002(b), and amendments thereto.

Title and name (printed): _____	Title and name (printed): _____
Agency name: _____	Agency name: _____
Agency address: _____	Agency address: _____
City/state/zip: _____	City/state/zip: _____
_____ Signature of Law Enforcement Officer	_____ Signature of Law Enforcement Officer

TEMPORARY DRIVER'S LICENSE

THIS NOTICE IS:

- NOT VALID** as a temporary license for the reason that your license: has expired; has been revoked; has been suspended; has been cancelled; or you have no driver's license.
- VALID** as a temporary license until the 30th day after the date of service of this document. You must carry this notice with you when driving. This temporary license allows the operation of the same classes of vehicles and is subject to the same restrictions as the driver's license surrendered.

Any temporary driver's license will end and your driving privileges will be suspended on the 30th day after service of this document unless an administrative hearing has been timely requested. THE INSTRUCTIONS FOR REQUESTING AN ADMINISTRATIVE HEARING ARE ON THE REVERSE SIDE OF THIS FORM.

Before a test or tests are administered, the officer is required by Kansas law to provide the person the oral and written notices. If the person is under the age of 21, the oral and written notice required by K.S.A. 8-1567a should also be given.

Distribution: 1st copy ((white) copy to Division of Vehicles 2nd copy (yellow) for your file 3rd copy (pink) to licensee/driver

NOTICE OF DRIVER'S LICENSE SUSPENSION
(Pursuant to K.S.A. 8-1567a)

Based upon the certification on the reverse side of this form, your driving privileges are hereby suspended, pursuant to K.S.A. 8-1567a, effective the 30th day after the date of service of this notice, unless a timely request for hearing is made (see below). The action taken on your license depends upon whether you have had a prior test result of .02 or greater, but less than .08.

If this is the first time you have had a test result of .02 or greater, but less than .08, your driving privileges will be suspended for 30 days and then restricted as provided by K.S.A. 8-1015, and amendments thereto, for an additional 330 days.

If this is the second or subsequent time you have had a test result of .02 or greater, but less than .08, your driving privileges will be suspended for one year.

PROCEDURE FOR REQUESTING AN ADMINISTRATIVE HEARING

- A hearing request may be made either by mailing a written request which is postmarked within 14 calendar days after the date of service of this form, or by sending a written request by electronic facsimile (fax) to the Division of Vehicles within 14 calendar days after the date of service of this form. If this form was served on you by mail, you will have an additional 3 days, pursuant to K.S.A. 60-206(d).
- The hearing request must include your full name, driver's license number, birth date and a telephone number at which you or your legal representative can be reached if necessary.
- The hearing request must include your current address. If the address you provide in your written request for a hearing is different than the address on the reverse side of this form, the address in your hearing request will be treated as a change of address pursuant to K.S.A. 8-248. All correspondence will be sent to the address provided in the hearing request.
- The hearing request must state whether you want to have the certifying officer(s) subpoenaed to the administrative hearing. If you wish to contest the facts contained in the officer's certification at the administrative hearing, you have the burden of disproving those facts, and you may need to compel the appearance of the certifying officer(s) to do so. If you fail to request any officer's attendance at the time you make a hearing request, your right to compel that attendance by subpoena will be deemed waived and the Law Enforcement Officer's Certification will be admitted as evidence at the hearing.
- HEARING LOCATION. Upon receipt of your timely written hearing request, a hearing will be scheduled by telephone conference call. You may request that the hearing be conducted in person before a representative of the Director of Vehicles. Any request for an in person hearing must be made at the time you request a hearing. A written notice will be mailed to you setting out the time, date and place of the hearing. Any temporary driving privileges granted on the reverse side of this document will be extended until a final determination is made.
- Constitutional issues cannot be decided at the administrative hearing, but may be preserved and raised in a petition for review of the hearing to a State district court, if such petition for review is timely made pursuant to law.
- Mail hearing requests to: DL Administrative Hearing Section
Kansas Department of Revenue
P.O. Box 2744
Topeka, KS 66601-2744
(785) 296-6911
- Send electronic facsimile (fax) requests to: (785) 296-0275