

NOTES:



New York State
Parks, Recreation and
Historic Preservation

BWI/SWI WARNING (2 HRS OR LESS FROM ARREST)

1. You are under arrest for boating/snowmobiling while intoxicated.
2. A refusal to submit to a chemical test, or any portion thereof, will result in the immediate suspension of your operating privilege, whether or not you are found guilty of the charge for which you are arrested.
3. Your refusal to submit to a chemical test, or any portion thereof, can be introduced into evidence against you at any trial, proceeding or hearing resulting from this arrest.
4. Will you submit to a chemical test to determine the alcohol or drug content of your blood?

BWAI/SWAI - DRUGS WARNING (2 HRS OR LESS FROM ARREST)

1. You are under arrest for boating/snowmobiling while ability impaired by the use of drugs
2. A refusal to submit to a chemical test, or any portion thereof, will result in the immediate suspension of your operating privilege, whether or not you are found guilty of the charge for which you are arrested.
3. Your refusal to submit to a chemical test, or any portion thereof, can be introduced into evidence against you at any trial, proceeding or hearing resulting from this arrest.
4. Will you submit to a chemical test to determine the alcohol or drug content of your blood?

BWI/SWI WARNING (MORE THAN 2 HRS AFTER ARREST)

1. You are under arrest for boating/snowmobiling while intoxicated.
2. A refusal to submit to a chemical test, or any portion thereof, will result in the immediate suspension of your operating privilege, whether or not you are found guilty of the charge for which you are arrested.
3. Will you submit to a chemical test to determine the alcohol or drug content of your blood?

BWAI/SWAI - DRUGS WARNING (> THAN 2 HRS AFTER ARREST)

1. You are under arrest for boating/snowmobiling while ability impaired by drugs.
2. A refusal to submit to a chemical test or any portion thereof, will result in the immediate suspension of your operating privilege, whether or not you are found guilty of the charge for which you are arrested.
3. Will you submit to a chemical test to determine the alcohol or drug content of your blood?

ZERO TOLERANCE WARNING

1. You are being detained for operating a vessel/snowmobile after having consumed alcohol.
2. A refusal to submit to a chemical test, or any portion thereof, will result in the immediate suspension of your operating privilege
3. Will you submit to a chemical test to determine the alcohol content of your blood?

MIRANDA WARNING

1. You have the right to remain silent and refuse to answer any questions.
2. Anything you say can and will be used against you in a court of law
3. As we discuss this matter you have a right to stop answering my questions at any time you desire
4. You have a right to a lawyer before speaking to me, to remain silent until you can talk to a lawyer, and to have that lawyer present with you when you are being questioned.
5. If you do desire a lawyer, but you cannot afford one, one will be provided to you before questioning without cost to you
6. Do you understand each of these rights I have explained to you?
7. Now that I have advised you of your rights, are you willing to answer my questions?