

NOTICE TO OFFICER AT ROADSIDE STOP

As required by Michigan law, I am tendering my driver's license, proof of insurance and registration, if requested. If you have stopped me for a civil infraction, please issue the citation, return my license and other paperwork and permit me to leave immediately. If you have any doubt about my ability to operate my vehicle, I will be glad to leave my car here. Unless you advise me that I can leave with my license and in my vehicle, I must assume this is more than a brief investigatory stop, that my liberty is restrained, that I am under arrest, and that I must obey your orders without resistance, but I do so under protest.

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I do not wish to answer any questions or make any statements at this time. I am exercising my right to remain silent and to not give evidence against myself. (U.S. Const., 5th Amendment, Michigan Constitution).

I request that my attorney be present during any questioning or proceedings against me and that I be permitted to contact my attorney at the earliest possible time, as permitted by Michigan and Federal law. I have the name and phone number with me at this time and would like to call immediately and consult with my attorney in private.

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Michigan law does not require me to submit to any verbal or non-verbal field sobriety tests including reciting the alphabet, counting backwards, permitting you to inspect my eyes for horizontal gaze nystagmus, the preliminary breath test (hand-held breath testing device), walk-and-turn, one leg stand or other such tests. I, therefore, choose not to participate in any such field sobriety tests, unless my attorney is present when such voluntary tests are performed. I understand that, if you have reasonable cause, refusing a preliminary breath test (PBT) is a civil infraction punishable by a fine of up to \$200.00. I further understand that I will not lose my license for refusing the PBT or receive any "points" for refusing the PBT. As such, I am explicitly refusing to submit to a PBT and contend that you do not have reasonable or legally sufficient cause to make this request.

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BEFORE YOU ARE ACCUSED OF DRINKING AND DRIVING KNOW YOUR RIGHTS!

Most Americans don't know their legal rights, particularly when a roadside traffic "stop" or arrest is involved. Most people believe that they can talk the officer into letting them go. **WRONG!** Many people believe that by cooperating with the officer in doing roadside tests they will be able to convince the police not to arrest them. **WRONG!** These tests are failure designed. Many people believe that they will lose their license or go to jail if they refuse a preliminary roadside breath test. **WRONG!** It's a no point/no sanction ticket that results in only a fine. Many people erroneously believe that police can automatically search your vehicle. **NOT WITHOUT YOUR PERMISSION**, unless the officer has reasonable cause to believe that a crime in being committed or is about to be committed.

The tri-fold "DRIVER'S RIGHTS" card was designed by Attorney William J. Maze of the Maze Legal Group in order to assist Michigan drivers in asserting their Constitutional and statutory rights to the maximum extent permitted by law. Keep the card in your wallet, purse or car in case you are stopped by the police. Any time you are stopped by a police officer, and questioning goes beyond the minimum information needed to issue a traffic citation, you should consider handing the card to the officer and remain silent. Let the card speak for you. Don't read it to the officer. These cards won't prevent a drunk driver from being caught, if sufficient **VISIBLE** proof of impairment exists (staggering, belligerence, slurred speech, etc.), so don't expect the card to solve all problems. **BUT DO NOT LET THE OFFICER TALK YOU OUT OF EXERCISING YOUR RIGHTS EVEN IF THE OFFICER REFUSES TO READ THE CARD!**



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NOTICE AND DISCLAIMER

This "NOTICE TO OFFICER AT ROADSIDE STOP" is intended to help educate the Michigan citizens as to rights under the law and to assist presumptively innocent citizens in properly asserting those rights. It is not intended to aid drunk drivers in evading punishment. The card should be given immediately to the law enforcement officer in the event you are pulled over for any reason, or you are involved in any type of accident, and questions about alcohol consumption are asked. It will assist the officer in correctly determining how you wish to be treated under the law. No further communication with the officer will be necessary. Read the "notice to officer at roadside stop" on the remainder of this card carefully and know your rights before a traffic stop. DO NOT RESIST ARREST OR LECTURE THE OFFICER ON YOUR RIGHTS BUT EXERCISE YOUR RIGHTS!

Use of this "Notice to Officer at Roadside Stop" may not be appropriate for certain drivers, including, but not limited to: (1) persons who are licensed to drive by another state; (2) persons who have been involved in a serious injury or death accident; (3) persons who have been convicted of two or more prior drunk driving offenses within the past ten years; (4) under-age persons who, by virtue of admitting any alcohol consumption or giving any test result, may be subject to conviction or (5) persons holding a CDL license who are stopped while driving a commercial motor vehicle.

The safest way to avoid a drunk driving charge is to always drink responsibly and have a designated driver. A taxi cab is less expensive than defending a drunk driving charge.

If you ignore my Constitutional and statutory rights under this card and verbally coerce me into taking any such tests, I am not performing any such tests willfully and voluntarily, but am doing so to avoid a confrontation with you, an armed law enforcement officer.

I am explicitly requesting that I be permitted to call my attorney before submitting to a Datamaster breath test or other chemical test and, unless I am given the opportunity to call my attorney before any chemical testing, I refuse to submit to any chemical testing of my breath, blood or urine. Should you permit me an opportunity to try to call my attorney but I cannot reach him, I will submit to a Datamaster breath test at the police station but only under protest since I maintain that you do not have a legally sufficient reason to arrest me. I explicitly preserve my right to challenge any deficiency in the testing procedure or its administration. If you obtain a search warrant to draw my blood, I will not resist, but I demand copies of the affidavit and warrant.

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If, after the administration of your chemical test, you decide to charge me with any offense under MCL 257.625 *et seq.*, then I request that I be transported to the nearest available private medical facility for independent testing of my breath, blood or urine. If feasible, I will select and utilize my own physician or medical provider to administer my independent test(s). I will make my own financial arrangements upon arrival at the selected facility, will select the type of test I want, and I specifically request immediate access to a phone and phone directory to do this. This request should also not be considered to be withdrawn or waived even if I take one or more additional breath tests.

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I object (and do not consent) to a search of my person, my motor vehicle, or any of my other property, unless I give you written authority to search my vehicle (for "inventory" or any other purpose) and arrange for impound of my vehicle.

I also do not consent to being videotaped or audio taped at any time without my written consent, as such unauthorized taping would constitute a violation of my right of privacy under the Michigan Constitution and the U.S. Constitution.

This document constitutes an official notification which should be retained for your records.