**Section 1286.300 General Sampling Protocol**

The arresting officer has discretion to determine whether a subject will be required to submit a breath, blood, and/or urine sample for testing.

a) If the subject has been in a vehicle crash and must be treated or is currently being treated by a physician licensed to practice medicine for injuries sustained in the crash, the arresting officer will consult with the treating physician to determine when best to test the subject without unreasonably jeopardizing the subject's treatment.

b) The arresting officer or BAO shall deem a subject who fails to submit to a requested test or additional testing to have refused testing. If a subject refuses a breath test, no 20-minute observation period is required, but rather the refusal of the test may be noted and the refusal ticket printed immediately.

c) When a subject has submitted an insufficient sample or otherwise failed to adequately complete a requested test or tests, the arresting officer or BAO has discretion to determine if the subject:

1) has refused testing; or

2) will be required to undergo additional testing.

d) The procedures contained in this Subpart are the only procedures required to obtain a valid breath, blood, other bodily substance and/or urine sample. There are no additional sampling procedures.

(Source: Amended at 43 Ill. Reg. 4640, effective April 5, 2019)