

(PRE-FILED)

By: **Senator Giannetti**
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CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - Drunk Driving Penalties - High Alcohol Concentration -**
3 **Mandatory Ignition Interlock System**

4 ~~FOR the purpose of requiring a court to prohibit a person convicted of, or granted~~
5 ~~probation for, certain alcohol related driving offenses from operating a motor~~
6 ~~vehicle that is not equipped with a certain ignition interlock system for a certain~~
7 ~~minimum amount of time if the person, at the time of the offense, took a test~~
8 ~~that indicated that the alcohol concentration level of the person's blood or breath~~
9 ~~was at least a certain concentration; making technical corrections; the Motor~~
10 ~~Vehicle Administration to require a person to participate in the Ignition~~
11 ~~Interlock System Program for a certain period of time if the person refused to~~
12 ~~take a certain test or if a certain test result indicates a certain alcohol~~
13 ~~concentration; requiring a police officer to advise a person of certain facts~~
14 ~~concerning a certain alcohol concentration under certain circumstances;~~
15 ~~requiring a police officer to include certain facts in a certain sworn statement;~~
16 ~~providing that certain facts concerning a certain alcohol concentration may be~~
17 ~~issues at a certain administrative hearing under certain circumstances;~~
18 ~~establishing that the sworn statement of a police officer regarding a certain~~
19 ~~alcohol concentration is prima facie evidence for a certain purpose; authorizing~~
20 ~~the Administration to summarily require participation in the Ignition Interlock~~
21 ~~System Program under certain circumstances; authorizing a person who has~~
22 ~~been required to participate in the Ignition Interlock System Program to appeal~~
23 ~~in a certain manner; making a clarifying change; and generally relating to~~
24 ~~drunk driving.~~

25 BY repealing and reenacting, with amendments,
26 Article - Transportation

1 ~~Section 27-107~~ Section 16-205.1(b), (f)(4), (7), and (8), and (j)
 2 Annotated Code of Maryland
 3 (2002 Replacement Volume and 2005 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article - Transportation**

7 ~~27-107.~~

8 (a) In this section, "ignition interlock system" means a device that:

9 (1) Connects a motor vehicle ignition system to a breath analyzer that
 10 measures a driver's blood alcohol level; and

11 (2) Prevents a motor vehicle ignition from starting if a driver's blood
 12 alcohol level exceeds the calibrated setting on the device.

13 (b) (1) ~~[In] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~
 14 ~~AND IN addition to any other penalties provided in this title for a violation of any of~~
 15 ~~the provisions of § 21-902(a) of this article ("Driving while under the influence of~~
 16 ~~alcohol or under the influence of alcohol per se"), or § 21-902(b) of this article~~
 17 ~~("Driving while impaired by alcohol"), or in addition to any other condition of~~
 18 ~~probation, a court may prohibit a person who is convicted of, or granted probation~~
 19 ~~under § 6-220 of the Criminal Procedure Article for, a violation of § 21-902(a) or [§~~
 20 ~~21-902(b)] (B) of this article from operating for not more than 3 years a motor vehicle~~
 21 ~~that is not equipped with an ignition interlock system.~~

22 (2) ~~IN ADDITION TO ANY OTHER PENALTIES PROVIDED IN THIS TITLE~~
 23 ~~FOR A VIOLATION OF ANY OF THE PROVISIONS OF § 21-902(A) OF THIS ARTICLE~~
 24 ~~("DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR UNDER THE INFLUENCE~~
 25 ~~OF ALCOHOL PER SE"), OR § 21-902(B) OF THIS ARTICLE ("DRIVING WHILE IMPAIRED~~
 26 ~~BY ALCOHOL"), OR IN ADDITION TO ANY OTHER CONDITION OF PROBATION, A COURT~~
 27 ~~SHALL PROHIBIT A PERSON WHO IS CONVICTED OF, OR GRANTED PROBATION UNDER~~
 28 ~~§ 6-220 OF THE CRIMINAL PROCEDURE ARTICLE FOR, A VIOLATION OF § 21-902(A) OR~~
 29 ~~(B) OF THIS ARTICLE FROM OPERATING FOR NOT LESS THAN 1 YEAR A MOTOR~~
 30 ~~VEHICLE THAT IS NOT EQUIPPED WITH AN IGNITION INTERLOCK SYSTEM IF, AT THE~~
 31 ~~TIME OF THE VIOLATION, THE PERSON TOOK A TEST, AS DEFINED IN § 16-205.1 OF~~
 32 ~~THIS ARTICLE, THAT INDICATED THAT THE ALCOHOL CONCENTRATION LEVEL OF~~
 33 ~~THE PERSON'S BLOOD OR BREATH WAS 0.15 OR MORE.~~

34 (c) If the court imposes the use of an ignition interlock system as a sentence,
 35 part of a sentence, or a condition of probation, the court:

36 (1) Shall state on the record the requirement for, and the period of the
 37 use of the IGNITION INTERLOCK system, and so notify the Administration;

38 (2) Shall direct that the records of the Administration reflect:

1 (i) That the person may not operate a motor vehicle that is not
2 equipped with an ignition interlock system; and

3 (ii) Whether the court has expressly permitted the person to
4 operate a motor vehicle without an ignition interlock system under subsection (g)(2)
5 of this section;

6 (3) ~~Shall direct the Administration to note in an appropriate manner a~~
7 ~~restriction on the person's license imposed under [paragraph] ITEM (2)(i) or (ii) of this~~
8 ~~subsection;~~

9 (4) ~~Shall require proof of the installation of the IGNITION INTERLOCK~~
10 ~~system and periodic reporting by the person for verification of the proper operation of~~
11 ~~the IGNITION INTERLOCK system;~~

12 (5) ~~Shall require the person to have the IGNITION INTERLOCK system~~
13 ~~monitored for proper use and accuracy by an entity approved by the Administration at~~
14 ~~least semiannually, or more frequently as the circumstances may require; and~~

15 (6) (i) ~~Shall require the person to pay the reasonable cost of leasing or~~
16 ~~buying, monitoring, and maintaining the IGNITION INTERLOCK system; and~~

17 (ii) ~~May establish a payment schedule.~~

18 (d) ~~A person prohibited under this section or Title 16 of this article from~~
19 ~~operating a motor vehicle that is not equipped with an ignition interlock system may~~
20 ~~not solicit or have another person attempt to start or start a motor vehicle equipped~~
21 ~~with an ignition interlock system.~~

22 (e) ~~A person may not attempt to start or start a motor vehicle equipped with~~
23 ~~an ignition interlock system for the purpose of providing an operable motor vehicle to~~
24 ~~a person who is prohibited under this section or Title 16 of this article from operating~~
25 ~~a motor vehicle that is not equipped with an ignition interlock system.~~

26 (f) ~~A person may not tamper with, or in any way attempt to circumvent, the~~
27 ~~operation of an ignition interlock system that has been installed in the motor vehicle~~
28 ~~of a person under this section or Title 16 of this article.~~

29 (g) (1) ~~Subject to the provisions of paragraph (2) of this subsection, a person~~
30 ~~may not knowingly furnish a motor vehicle not equipped with a functioning ignition~~
31 ~~interlock system to another person who the person knows is prohibited under~~
32 ~~subsection (b) of this section or Title 16 of this article from operating a motor vehicle~~
33 ~~not equipped with an ignition interlock system.~~

34 (2) ~~If a person is required, in the course of the person's employment, to~~
35 ~~operate a motor vehicle owned or provided by the person's employer, the person may~~
36 ~~operate that motor vehicle in the course of the person's employment without~~
37 ~~installation of an ignition interlock system if the court or the Administration has~~
38 ~~expressly permitted the person to operate in the course of the person's employment a~~
39 ~~motor vehicle that is not equipped with an ignition interlock system.~~

1 16-205.1.

2 (b) (1) Except as provided in subsection (c) of this section, a person may not
3 be compelled to take a test. However, the detaining officer shall advise the person
4 that, on receipt of a sworn statement from the officer that the person was so charged
5 and refused to take a test, or was tested and the result indicated an alcohol
6 concentration of 0.08 or more, the Administration shall:

7 (i) In the case of a person licensed under this title:

8 1. For a test result indicating an alcohol concentration of
9 0.08 or more at the time of testing:

10 A. For a first offense, suspend the driver's license for 45 days;
11 or

12 B. For a second or subsequent offense, suspend the driver's
13 license for 90 days; or

14 2. For a test refusal:

15 A. For a first offense, suspend the driver's license for 120
16 days; or

17 B. For a second or subsequent offense, suspend the driver's
18 license for 1 year;

19 (ii) In the case of a nonresident or unlicensed person:

20 1. For a test result indicating an alcohol concentration of
21 0.08 or more at the time of testing:

22 A. For a first offense, suspend the person's driving privilege
23 for 45 days; or

24 B. For a second or subsequent offense, suspend the person's
25 driving privilege for 90 days; or

26 2. For a test refusal:

27 A. For a first offense, suspend the person's driving privilege
28 for 120 days; or

29 B. For a second or subsequent offense, suspend the person's
30 driving privilege for 1 year; [and]

31 (iii) In addition to any applicable driver's license suspensions
32 authorized under this section, in the case of a person operating a commercial motor
33 vehicle or who holds a commercial driver's license who refuses to take a test:

1 1. Disqualify the person's commercial driver's license for a
2 period of 1 year for a first offense, 3 years for a first offense which occurs while
3 transporting hazardous materials required to be placarded, and disqualify for life for
4 a second or subsequent offense which occurs while operating any commercial motor
5 vehicle; or

6 2. If the person holds a commercial driver's license issued by
7 another state, disqualify the person's privilege to operate a commercial motor vehicle
8 and report the refusal and disqualification to the person's resident state which may
9 result in further penalties imposed by the person's resident state; AND

10 (IV) IN ADDITION TO ANY APPLICABLE DRIVER'S LICENSE
11 SUSPENSIONS AUTHORIZED UNDER THIS SECTION, IN THE CASE OF A PERSON WHO
12 REFUSED TO TAKE A TEST OR WAS TESTED AND THE RESULT INDICATED AN
13 ALCOHOL CONCENTRATION OF 0.15 OR MORE, REQUIRE THE PERSON TO
14 PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM UNDER § 16-404.1 OF
15 THIS TITLE FOR A PERIOD OF 1 YEAR FROM THE DATE OF THE HEARING BY THE
16 ADMINISTRATION REGARDING THE VIOLATION.

17 (2) Except as provided in subsection (c) of this section, if a police officer
18 stops or detains any person who the police officer has reasonable grounds to believe is
19 or has been driving or attempting to drive a motor vehicle while under the influence
20 of alcohol, while impaired by alcohol, while so far impaired by any drug, any
21 combination of drugs, or a combination of one or more drugs and alcohol that the
22 person could not drive a vehicle safely, while impaired by a controlled dangerous
23 substance, in violation of an alcohol restriction, or in violation of § 16-813 of this title,
24 and who is not unconscious or otherwise incapable of refusing to take a test, the police
25 officer shall:

26 (i) Detain the person;

27 (ii) Request that the person permit a test to be taken;

28 (iii) Advise the person of the administrative sanctions that shall be
29 imposed for refusal to take the test, including ineligibility for modification of a
30 suspension or issuance of a restrictive license under subsection (n)(1) or (2) of this
31 section, [and] for test results indicating an alcohol concentration of 0.08 or more at
32 the time of testing, AND FOR TEST RESULTS INDICATING AN ALCOHOL
33 CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING; and

34 (iv) Advise the person of the additional criminal penalties that may
35 be imposed under § 27-101(x) of this article on conviction of a violation of § 21-902 of
36 this article if the person knowingly refused to take a test arising out of the same
37 circumstances as the violation.

38 (3) If the person refuses to take the test or takes a test which results in
39 an alcohol concentration of 0.08 or more at the time of testing, the police officer shall:

40 (i) Confiscate the person's driver's license issued by this State;

1 (ii) Acting on behalf of the Administration, personally serve an
2 order of suspension on the person;

3 (iii) Issue a temporary license to drive;

4 (iv) Inform the person that the temporary license allows the person
5 to continue driving for 45 days if the person is licensed under this title;

6 (v) Inform the person that:

7 1. The person has a right to request, at that time or within
8 10 days, a hearing to show cause why the driver's license should not be suspended
9 concerning the refusal to take the test or for test results indicating an alcohol
10 concentration of 0.08 or more at the time of testing, OR WHY PARTICIPATION IN THE
11 IGNITION INTERLOCK SYSTEM PROGRAM SHOULD NOT BE IMPOSED FOR THE
12 REFUSAL TO TAKE THE TEST OR FOR TEST RESULTS INDICATING AN ALCOHOL
13 CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING, and the hearing will be
14 scheduled within 45 days; and

15 2. If a hearing request is not made at that time or within 10
16 days, but within 30 days the person requests a hearing, a hearing to show cause why
17 the driver's license should not be suspended concerning the refusal to take the test or
18 for test results indicating an alcohol concentration of 0.08 or more at the time of
19 testing, OR WHY PARTICIPATION IN THE IGNITION INTERLOCK SYSTEM PROGRAM
20 SHOULD NOT BE IMPOSED FOR THE REFUSAL TO TAKE THE TEST OR FOR TEST
21 RESULTS INDICATING AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME
22 OF TESTING, will be scheduled, but a request made after 10 days does not extend a
23 temporary license issued by the police officer that allows the person to continue
24 driving for 45 days;

25 (vi) Advise the person of the administrative sanctions that shall be
26 imposed in the event of failure to request a hearing, failure to attend a requested
27 hearing, or upon an adverse finding by the hearing officer; and

28 (vii) Within 72 hours after the issuance of the order of suspension,
29 send any confiscated driver's license, copy of the suspension order, and a sworn
30 statement to the Administration, that states:

31 1. The officer had reasonable grounds to believe that the
32 person had been driving or attempting to drive a motor vehicle on a highway or on
33 any private property that is used by the public in general in this State while under
34 the influence of alcohol, while impaired by alcohol, while so far impaired by any drug,
35 any combination of drugs, or a combination of one or more drugs and alcohol that the
36 person could not drive a vehicle safely, while impaired by a controlled dangerous
37 substance, in violation of an alcohol restriction, or in violation of § 16-813 of this title;

38 2. The person refused to take a test when requested by the
39 police officer [or], the person submitted to the test which indicated an alcohol
40 concentration of 0.08 or more at the time of testing, OR THE PERSON SUBMITTED TO

1 THE TEST AND THE RESULTS INDICATED AN ALCOHOL CONCENTRATION OF 0.15 OR
2 MORE AT THE TIME OF TESTING; and

3 3. The person was fully advised of the administrative
4 sanctions that shall be imposed, including the fact that a person who refuses to take
5 the test is ineligible for modification of a suspension or issuance of a restrictive
6 license under subsection (n)(1) or (2) of this section.

7 (f) (4) If a hearing request is not made at the time of or within 10 days after
8 the issuance of the order of suspension, the Administration shall:

9 (i) Make the suspension order effective suspending the license:

10 1. For a test result indicating an alcohol concentration of
11 0.08 or more at the time of testing:

12 A. For a first offense, for 45 days; or

13 B. For a second or subsequent offense, for 90 days; or

14 2. For a test refusal:

15 A. For a first offense, for 120 days; or

16 B. For a second offense or subsequent offense, for 1 year;

17 [and]

18 (ii) 1. In the case of a person operating a commercial motor
19 vehicle or who holds a commercial driver's license who refuses to take a test,
20 disqualify the person from operating a commercial motor vehicle for a period of 1 year
21 for a first offense, 3 years for a first offense which occurs while transporting
22 hazardous materials required to be placarded, and for life for a second or subsequent
23 offense which occurs while operating any commercial vehicle; or

24 2. In the case of a person operating a commercial motor
25 vehicle who refuses to take a test, and who holds a commercial driver's license issued
26 by another state, disqualify the person's privilege to operate a commercial motor
27 vehicle in this State and report the refusal and disqualification to the person's
28 resident state which may result in further penalties imposed by the person's resident
29 state; AND

30 (III) IN ADDITION TO ANY APPLICABLE DRIVER'S LICENSE
31 SUSPENSIONS AUTHORIZED UNDER THIS SECTION, IN THE CASE OF A PERSON WHO
32 REFUSED TO TAKE A TEST OR WAS TESTED AND THE RESULTS INDICATED AN
33 ALCOHOL CONCENTRATION OF 0.15 OR MORE, REQUIRE THE PERSON TO
34 PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM UNDER § 16-404.1 OF
35 THIS TITLE FOR A PERIOD OF 1 YEAR FROM THE DATE OF THE HEARING BY THE
36 ADMINISTRATION REGARDING THE VIOLATION.

1 (7) (i) At a hearing under this section, the person has the rights
2 described in § 12-206 of this article, but at the hearing the only issues shall be:

3 1. Whether the police officer who stops or detains a person
4 had reasonable grounds to believe the person was driving or attempting to drive while
5 under the influence of alcohol, while impaired by alcohol, while so far impaired by any
6 drug, any combination of drugs, or a combination of one or more drugs and alcohol
7 that the person could not drive a vehicle safely, while impaired by a controlled
8 dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813
9 of this title;

10 2. Whether there was evidence of the use by the person of
11 alcohol, any drug, any combination of drugs, a combination of one or more drugs and
12 alcohol, or a controlled dangerous substance;

13 3. Whether the police officer requested a test after the
14 person was fully advised of the administrative sanctions that shall be imposed,
15 including the fact that a person who refuses to take the test is ineligible for
16 modification of a suspension or issuance of a restrictive license under subsection
17 (n)(1) and (2) of this section;

18 4. Whether the person refused to take the test;

19 5. Whether the person drove or attempted to drive a motor
20 vehicle while having an alcohol concentration of 0.08 or more at the time of testing;
21 [or]

22 6. WHETHER THE PERSON DROVE OR ATTEMPTED TO DRIVE
23 A MOTOR VEHICLE WHILE HAVING AN ALCOHOL CONCENTRATION OF 0.15 OR MORE
24 AT THE TIME OF TESTING; OR

25 [6.] 7. If the hearing involves disqualification of a
26 commercial driver's license, whether the person was operating a commercial motor
27 vehicle or held a commercial driver's license.

28 (ii) The sworn statement of the police officer and of the test
29 technician or analyst shall be prima facie evidence of a test refusal [or], a test
30 [resulting in] RESULT INDICATING an alcohol concentration of 0.08 or more at the
31 time of testing, OR A TEST RESULT INDICATING AN ALCOHOL CONCENTRATION OF
32 0.15 OR MORE AT THE TIME OF TESTING.

33 (8) (i) After a hearing, the Administration shall suspend the driver's
34 license or privilege to drive of the person charged under subsection (b) or (c) of this
35 section if:

36 1. The police officer who stopped or detained the person had
37 reasonable grounds to believe the person was driving or attempting to drive while
38 under the influence of alcohol, while impaired by alcohol, while so far impaired by any
39 drug, any combination of drugs, or a combination of one or more drugs and alcohol
40 that the person could not drive a vehicle safely, while impaired by a controlled

1 dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813
2 of this title;

3 2. There was evidence of the use by the person of alcohol, any
4 drug, any combination of drugs, a combination of one or more drugs and alcohol, or a
5 controlled dangerous substance;

6 3. The police officer requested a test after the person was
7 fully advised of the administrative sanctions that shall be imposed, including the fact
8 that a person who refuses to take the test is ineligible for modification of a suspension
9 or issuance of a restrictive license under subsection (n)(1) and (2) of this section; and

10 4. A. The person refused to take the test; or

11 B. A test to determine alcohol concentration was taken and
12 the test result indicated an alcohol concentration of 0.08 or more at the time of
13 testing.

14 (ii) After a hearing, the Administration shall disqualify the person
15 from driving a commercial motor vehicle if:

16 1. The person was detained while operating a commercial
17 motor vehicle or while holding a commercial driver's license;

18 2. The police officer who stopped or detained the person had
19 reasonable grounds to believe that the person was driving or attempting to drive
20 while under the influence of alcohol, while impaired by alcohol, while so far impaired
21 by any drug, any combination of drugs, or a combination of one or more drugs and
22 alcohol that the person could not drive a vehicle safely, while impaired by a controlled
23 dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813
24 of this title;

25 3. There was evidence of the use by the person of alcohol, any
26 drug, any combination of drugs, a combination of one or more drugs and alcohol, or a
27 controlled dangerous substance;

28 4. The police officer requested a test after the person was
29 fully advised of the administrative sanctions that shall be imposed; and

30 5. The person refused to take the test.

31 (iii) If the person is licensed to drive a commercial motor vehicle, the
32 Administration shall disqualify the person in accordance with subparagraph (ii) of
33 this paragraph, but may not impose a suspension under subparagraph (i) of this
34 paragraph, if:

35 1. The person was detained while operating a commercial
36 motor vehicle or while holding a commercial driver's license;

1 2. The police officer had reasonable grounds to believe the
2 person was in violation of an alcohol restriction or in violation of § 16-813 of this title;

3 3. The police officer did not have reasonable grounds to
4 believe the driver was driving while under the influence of alcohol, driving while
5 impaired by alcohol, while so far impaired by any drug, any combination of drugs, or
6 a combination of one or more drugs and alcohol that the person could not drive a
7 vehicle safely, or while impaired by a controlled dangerous substance; and

8 4. The driver refused to take a test.

9 (iv) In the absence of a compelling reason for failure to attend a
10 hearing, failure of a person to attend a hearing is prima facie evidence of the person's
11 inability to answer the sworn statement of the police officer or the test technician or
12 analyst, and the Administration summarily shall:

13 1. Suspend the driver's license or privilege to drive; [and]

14 2. If the driver is detained in a commercial motor vehicle or
15 holds a commercial driver's license, disqualify the person from operating a
16 commercial motor vehicle; AND

17 3. IF THE DRIVER REFUSED TO TAKE A TEST OR SUBMITTED
18 TO THE TEST AND THE RESULTS INDICATED AN ALCOHOL CONCENTRATION OF 0.15
19 OR MORE AT THE TIME OF TESTING, REQUIRE THE PERSON TO PARTICIPATE IN THE
20 IGNITION INTERLOCK SYSTEM PROGRAM FOR A PERIOD OF 1 YEAR FROM THE DATE
21 OF THE HEARING BY THE ADMINISTRATION REGARDING THE VIOLATION.

22 (v) The suspension imposed shall be:

23 1. For a test result indicating an alcohol concentration of
24 0.08 or more at the time of testing:

25 A. For a first offense, a suspension for 45 days; or

26 B. For a second or subsequent offense, a suspension for 90
27 days; or

28 2. For a test refusal:

29 A. For a first offense, a suspension for 120 days; or

30 B. For a second or subsequent offense, a suspension for 1
31 year.

32 (vi) A disqualification imposed under subparagraph (ii) or (iii) of
33 this paragraph shall be for a period of 1 year for a first offense, 3 years for a first
34 offense which occurs while transporting hazardous material required to be placarded,
35 and life for a second or subsequent offense which occurs while operating or
36 attempting to operate any commercial motor vehicle.

1 (vii) A disqualification of a commercial driver's license is not subject
2 to any modifications, nor may a restricted commercial driver's license be issued in
3 lieu of a disqualification.

4 (viii) A disqualification for life may be reduced if permitted by §
5 16-812(d) of this title.

6 (IX) IN ADDITION TO THE SUSPENSIONS IMPOSED BY THE
7 ADMINISTRATION UNDER THIS PARAGRAPH, AFTER A HEARING THE
8 ADMINISTRATION SHALL REQUIRE THE PERSON TO PARTICIPATE IN THE IGNITION
9 INTERLOCK SYSTEM PROGRAM FOR A PERIOD OF 1 YEAR IF:

10 1. THE CONDITIONS UNDER SUBPARAGRAPH (I) OF THIS
11 PARAGRAPH ARE MET; AND

12 2. A. THE PERSON REFUSED TO TAKE THE TEST; OR

13 B. THE PERSON TOOK A TEST TO DETERMINE ALCOHOL OR
14 BLOOD CONCENTRATION AND THE RESULTS INDICATED AN ALCOHOL
15 CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING.

16 (j) If the Administration imposes a suspension or disqualification after a
17 hearing, the person whose license or privilege to drive has been suspended or
18 disqualified, OR WHO HAS BEEN REQUIRED TO PARTICIPATE IN THE IGNITION
19 INTERLOCK SYSTEM PROGRAM, may appeal the final order of suspension as provided
20 in Title 12, Subtitle 2 of this article.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2006.