

ISSUED, THE DEFENDANT SHALL FILE A NEW SUBPOENA FOR THE TOXICOLOGIST.

(iv) ~~(III)~~ (IV) In addition to the requirements of Rule 4-265, the subpoena shall contain the name, address, and telephone number of the defendant or the defendant's attorney.

(3) A subpoena for the toxicologist may be quashed if a defendant fails to comply with the requirements of this subsection.

(4) A motion to quash a defendant's subpoena may be filed by any party or by the Attorney General.

(e) The person tested is permitted to have a physician of the person's own choosing administer tests in addition to the one administered at the direction of the police officer, and in the event no test is offered or requested by the police officer, the person may request, and the officer shall have administered, one or more of the tests provided for in this section.

(f) Nothing in this section precludes the right to introduce any other competent evidence bearing upon the date of the certificate or change in the equipment since the date of the certificate.

10-305.

(a) The type of test administered to the defendant to determine alcohol concentration shall be the test of breath except that the test of blood shall be the type of test administered if:

(1) The defendant is unconscious or otherwise incapable of refusing to take a test [for] TO DETERMINE alcohol [or drugs or both] CONCENTRATION;

(2) Injuries to the defendant require removal of the defendant to a medical facility; or

(3) The equipment for administering the test of breath is not available.

~~(B) THE TYPE OF TEST ADMINISTERED TO THE DEFENDANT TO DETERMINE DRUG OR CONTROLLED DANGEROUS SUBSTANCE CONTENT SHALL BE THE TEST OF BLOOD.~~

(B) THE TYPE OF SPECIMEN OBTAINED FROM THE DEFENDANT FOR THE PURPOSE OF A TEST OR TESTS TO DETERMINE DRUG OR CONTROLLED DANGEROUS SUBSTANCE CONTENT SHALL BE A BLOOD SPECIMEN.

[(b)] (C) Any person who is dead, unconscious, or otherwise in a condition rendering him incapable of test refusal shall be deemed not to have withdrawn consent.

10-306.

(a) (1) (I) Subject to the provisions of paragraph (2) of this subsection, in