

circumstances in which a defendant is entitled to and demands a jury trial, or appeals from the District Court to ~~the A~~ circuit court, the defendant shall notify ~~the court~~ THE CIRCUIT COURT and the State in writing no later than 20 days before trial.

~~(iii) If a postponement is granted in a District Court or circuit court, the defendant shall notify the court in writing no later than 20 days before the new trial date.~~

~~(iv) (III) If such timely and proper notice is given~~ IF THE TIMELY AND PROPER NOTICE REQUIRED UNDER THIS PARAGRAPH IS PROVIDED BY THE DEFENDANT, the test results are inadmissible without the testimony of the technician OR ANALYST.

(3) Failure to give timely and proper notice constitutes a waiver of the defendant's right to the presence and testimony of the technician OR ANALYST.

10-308.

(A) The evidence of the analysis does not limit the introduction of other evidence bearing upon whether the defendant was intoxicated or whether the defendant was driving while under the influence of alcohol, ~~DRUGS, OR CONTROLLED DANGEROUS SUBSTANCES~~ WHILE SO FAR UNDER THE INFLUENCE OF ANY DRUG, ANY COMBINATION OF DRUGS, OR A COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL THAT THE PERSON CANNOT DRIVE A VEHICLE SAFELY, OR WHILE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE.

~~(B) THE RESULTS OF TESTS TO DETERMINE THE DRUG OR CONTROLLED DANGEROUS SUBSTANCE CONTENT OF A PERSON'S BODY:~~

~~(1) ARE ADMISSIBLE AS EVIDENCE IN ANY PROSECUTION UNDER § 21-902(C) OR (D) OF THE TRANSPORTATION ARTICLE IF OTHER COMPETENT EVIDENCE IS INTRODUCED INDICATING THAT THE PERSON WAS DRIVING OR ATTEMPTING TO DRIVE WHILE UNDER THE INFLUENCE OF DRUGS OR DRUGS AND ALCOHOL, OR WHILE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE; AND~~

~~(2) ARE NOT ADMISSIBLE AS EVIDENCE IN ANY PROSECUTION UNDER ARTICLE 27, § 287(A) OF THE CODE.~~

(B) THE RESULTS OF A TEST OR TESTS TO DETERMINE THE DRUG OR CONTROLLED DANGEROUS SUBSTANCE CONTENT OF A PERSON'S BLOOD:

(1) ARE ADMISSIBLE AS EVIDENCE IN A CRIMINAL TRIAL ONLY IN A PROSECUTION UNDER § 21-902(C) OR (D) OF THE TRANSPORTATION ARTICLE § 21-902 OF THE TRANSPORTATION ARTICLE OR A VIOLATION OF ARTICLE 27, § 388 OR § 388A OF THE CODE AND ONLY IF OTHER ADMISSIBLE EVIDENCE IS INTRODUCED THAT CREATES AN INFERENCE THAT THE PERSON WAS DRIVING OR ATTEMPTING TO DRIVE WHILE SO FAR UNDER THE INFLUENCE OF ANY DRUG, ANY