COMBINATION OF DRUGS, OR A COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL THAT THE PERSON COULD NOT DRIVE A VEHICLE SAFELY, OR WHILE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE; AND

(2)   ARE NOT ADMISSIBLE IN A PROSECUTION OTHER THAN 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.

10-309.

(a)   (1)   Except as provided in § 16-205.1(c) of the Transportation Article, a person may not be compelled to submit to {a test} OR TESTS provided for in this subtitle. Evidence of a test or analysis is not admissible in a prosecution for a violation of § 21-902 of the Transportation Article if obtained contrary to its provisions.

(2)   No inference or presumption concerning either guilt or innocence arises because of refusal to submit. The fact of refusal to submit is admissible in evidence at the trial.

(b)   This [subsection] SECTION does not limit the provisions of the vehicle laws regarding the consequences of refusal to submit to a test {or tests}.

(c)   Nothing in this section precludes or limits the admissibility of evidence of a test or analysis TO DETERMINE THE ALCOHOL CONCENTRATION OF A PERSON'S BLOOD OR BREATH in any prosecution other than for a violation of § 21-902 of the Transportation Article.

(d)   Nothing in this section precludes or limits admissibility of evidence of a test or analysis TO DETERMINE THE ALCOHOL CONCENTRATION OF A PERSON'S BLOOD OR BREATH which is obtained as provided in § 16-205.1(c) of the Transportation Article.

Article – Transportation

16-205.1.

(a)   (1)   IN THIS SECTION, "TEST" MEANS:

(I)   A TEST OF A PERSON'S BLOOD OR BREATH TO DETERMINE ALCOHOL CONCENTRATION;

(II)   TESTS TO DETERMINE THE DRUG AND CONTROLLED DANGEROUS SUBSTANCE CONTENT OF A PERSON'S BODY; OR

(III)   BOTH A TEST OF A PERSON'S BLOOD OR BREATH TO DETERMINE ALCOHOL CONCENTRATION AND TESTS TO DETERMINE THE DRUG OR CONTROLLED DANGEROUS SUBSTANCE CONTENT OF A PERSON'S BODY.

(A)   (1)   IN THIS SECTION "TEST" MEANS: