

- or
  - A. For a first offense, suspend the driver's license for 45 days;
  - B. For a second or subsequent offense, suspend the driver's license for 90 days; or
  - 2. For a test refusal:
    - A. For a first offense, suspend the driver's license for 120 days;
    - B. For a second or subsequent offense, suspend the driver's license for 1 year;

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

- 1. For a test result indicating an alcohol concentration of 0.10 or more at the time of testing:
  - A. For a first offense, suspend the person's driving privilege for 45 days; or
  - B. For a second or subsequent offense, suspend the person's driving privilege for 90 days; or
  - 2. For a test refusal:
    - A. For a first offense, suspend the person's driving privilege for 120 days; or
    - B. For a second or subsequent offense, suspend the person's driving privilege for 1 year; ~~or AND~~ and

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

- 1. Disqualify the person's commercial driver's license for a period of 1 year for a first offense, 3 years for a first offense which occurs while transporting hazardous materials required to be placarded, and disqualify for life for a second or subsequent offense which occurs while operating any commercial motor vehicle; or
- 2. If the person is licensed as a commercial driver by another state, disqualify the person's privilege to operate a commercial motor vehicle and report the refusal and disqualification to the person's resident state which may result in further penalties imposed by the person's resident state.

(2) Except as provided in subsection (c) of this section, if a police officer stops or detains any person who the police officer has reasonable grounds to believe is or has been driving or attempting to drive a motor vehicle while intoxicated, while under the influence of alcohol, ~~WHILE UNDER THE INFLUENCE OF DRUGS OR~~