

OF, OR WITHIN 10 DAYS FROM THE DATE OF THE ISSUANCE OF AN ORDER OF SUSPENSION, BUT WITHIN 30 DAYS OF THE DATE OF THE ISSUANCE OF AN ORDER OF SUSPENSION, THE PERSON REQUESTS A HEARING AND SURRENDERS THE DRIVER'S LICENSE OR, IF APPLICABLE, THE PERSON'S COMMERCIAL DRIVER'S LICENSE, THE ADMINISTRATION SHALL:

1. A. MAKE A SUSPENSION ORDER EFFECTIVE SUSPENDING THE LICENSE FOR THE APPLICABLE PERIOD OF TIME DESCRIBED UNDER PARAGRAPH (4)(I) OF THIS SUBSECTION; AND

B. IN THE CASE OF A PERSON OPERATING A COMMERCIAL MOTOR VEHICLE WHO REFUSES TO TAKE A TEST, DISQUALIFY THE PERSON'S COMMERCIAL DRIVER'S LICENSE, OR PRIVILEGE TO OPERATE A COMMERCIAL MOTOR VEHICLE IN THIS STATE, FOR THE APPLICABLE PERIOD OF TIME DESCRIBED UNDER PARAGRAPH (4)(II) OF THIS SUBSECTION; AND

2. SET A HEARING FOR A DATE WITHIN 45 DAYS OF THE RECEIPT OF A REQUEST FOR A HEARING UNDER THIS PARAGRAPH.

(II) A REQUEST FOR HEARING SCHEDULED UNDER THIS PARAGRAPH DOES NOT EXTEND THE PERIOD FOR WHICH THE PERSON IS AUTHORIZED TO DRIVE, AND THE SUSPENSION AND, IF APPLICABLE, THE DISQUALIFICATION SHALL BECOME EFFECTIVE ON THE EXPIRATION OF THE 45-DAY PERIOD THAT BEGINS ON THE DATE OF THE ISSUANCE OF THE ORDER OF SUSPENSION.

(III) A POSTPONEMENT OF A HEARING DESCRIBED UNDER THIS PARAGRAPH SHALL STAY THE SUSPENSION ONLY IF:

1. BOTH THE PERSON AND THE ADMINISTRATION AGREE TO THE POSTPONEMENT;

2. THE ADMINISTRATION CANNOT PROVIDE A HEARING UNDER THIS PARAGRAPH WITHIN THE PERIOD REQUIRED UNDER THIS PARAGRAPH; OR

3. UNDER CIRCUMSTANCES IN WHICH THE PERSON MADE A REQUEST, WITHIN 10 DAYS OF THE DATE THAT THE PERSON REQUESTED A HEARING UNDER THIS PARAGRAPH, FOR THE ISSUANCE OF A SUBPOENA UNDER § 12-108 OF THIS ARTICLE EXCEPT AS TIME LIMITS ARE CHANGED BY THIS PARAGRAPH:

A. THE SUBPOENA WAS NOT ISSUED BY THE ADMINISTRATION;

B. AN ADVERSE WITNESS FOR WHOM THE SUBPOENA WAS REQUESTED, AND ON WHOM THE SUBPOENA WAS SERVED NOT LESS THAN 5 DAYS BEFORE THE HEARING, FAILS TO COMPLY WITH THE SUBPOENA AT AN INITIAL OR SUBSEQUENT HEARING