

4. Whether the person refused to take the test; ~~or~~

5. Whether the person drove or attempted to drive a motor vehicle while having an alcohol concentration of 0.10 or more at the time of testing; OR

~~6. IF THE HEARING INVOLVES DISQUALIFICATION OF A COMMERCIAL DRIVER'S LICENSE, WHETHER THE PERSON WAS OPERATING A COMMERCIAL MOTOR VEHICLE.~~

6. If the hearing involves disqualification of a commercial driver's license, whether the person was operating a commercial motor vehicle.

(ii) The sworn statement of the police officer and of the test technician or analyst shall be prima facie evidence of a test refusal or a test resulting in an alcohol concentration of 0.10 or more at the time of testing.

(7) (8) (i) After ~~the~~ A hearing, the Administration shall suspend the driver's license or privilege to drive of the person charged under subsection (b) or (c) of this section if:

1. The police officer who [stops or detains] STOPPED OR DETAINED the person had reasonable grounds to believe the person was driving or attempting to drive while intoxicated, while under the influence of alcohol, ~~WHILE UNDER THE INFLUENCE OF DRUGS OR DRUGS AND ALCOHOL~~ 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 COULD NOT DRIVE A VEHICLE SAFELY, WHILE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE, in violation of an alcohol restriction, ~~in violation of 49-CFR § 392.5,~~ or in violation of § 16-813 of this title;

2. There was evidence of ~~alcohol consumption OR THE USE OF DRUGS OR CONTROLLED DANGEROUS SUBSTANCES~~ THE USE BY THE PERSON OF ALCOHOL, ANY DRUG, ANY COMBINATION OF DRUGS, A COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL, OR A CONTROLLED DANGEROUS SUBSTANCE;

3. The police officer requested a test [to determine alcohol concentration] after the person was fully advised of the administrative sanctions that shall be imposed; and

4. A. The person refused to take the test; or

B. [The] A test TO DETERMINE ALCOHOL CONCENTRATION was taken and the test result indicated an alcohol concentration of 0.10 or more at the time of testing.

(ii) After ~~the~~ A hearing, the administration shall disqualify the person from driving a commercial motor vehicle if: