

hearing, failure of a person to attend a hearing is prima facie evidence of the person's inability to answer the sworn statement of the police officer or the test technician or analyst, and the Administration summarily shall:

1. Suspend the driver's license or privilege to drive; and

2. If the driver is detained in a commercial motor vehicle, disqualify the person from operating a commercial motor vehicle.

(v) The suspension imposed shall be:

1. For a test result indicating an alcohol concentration of 0.10 or more at the time of testing:

A. For a first offense, a suspension for 45 days; or

B. For a second or subsequent offense, a suspension for 90 days; or

2. For a test refusal:

A. For a first offense, a suspension for 120 days; or

B. For a second or subsequent offense, a suspension for 1 year.

(vi) A disqualification imposed under paragraph (7)(ii) or (iii) of this subsection shall be for a period of 1 year for a first offense, 3 years for a first offense which occurs while transporting hazardous material required to be placarded, and life for a second or subsequent offense which occurs while operating or attempting to operate any commercial motor vehicle.

(vii) A disqualification of a commercial driver's license is not subject to any modifications, nor may a restricted commercial driver's license be issued in lieu of a disqualification.

(viii) A disqualification for life may be reduced if permitted by § 16-812 (d) of this title.

~~(G) (1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A PERSON WHO SUFFERS FROM HEMOPHILIA, OR A HEART CONDITION AND IS USING AN ANTICOAGULANT THAT IS A PRESCRIPTION DRUG, AS DEFINED UNDER ARTICLE 27, § 300 OF THE CODE, UNDER THE DIRECTION OF A PHYSICIAN LICENSED IN THIS STATE OR ANY OTHER STATE, IS EXEMPT FROM A BLOOD TEST UNDER THIS SECTION.~~

~~(2) A FALSE REPRESENTATION MADE UNDER THIS SUBSECTION MAY CONSTITUTE A REFUSAL TO TAKE A TEST.~~

~~(H) (G) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF A DRIVER'S LICENSE IS SUSPENDED BASED ON MULTIPLE ADMINISTRATIVE OFFENSES OF REFUSAL TO TAKE A TEST, OR A TEST TO~~