

or

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; [or]

(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

(iii) [1. In] IN ADDITION TO ANY APPLICABLE DRIVER'S LICENSE SUSPENSIONS AUTHORIZED UNDER THIS SECTION, IN the case of a [driver] PERSON operating a commercial motor vehicle[, disqualify] 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. [In the case of a driver] IF THE PERSON IS licensed as a commercial driver by another state, disqualify the [driver's] PERSON'S privilege to operate a commercial motor vehicle [under subsection (f)(6) of this section] and report the refusal and disqualification to the [driver's] PERSON'S resident state which may result in further penalties imposed by the [driver's] 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, in violation of an alcohol restriction, ~~in violation of 49 CFR § 392.5,~~ or in violation of § 16-813 of this title, and who is not unconscious or otherwise incapable of refusing to take a test [for] TO DETERMINE alcohol CONCENTRATION, the police officer shall:

(i) Detain the person;