

(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) (i) After the 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 the person had reasonable grounds to believe the person was driving or attempting to drive while intoxicated, while under the influence of alcohol, [or] 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;

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 [a] THE test [to determine alcohol concentration]; or

B. [A] THE 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 HEARING, THE ADMINISTRATION SHALL DISQUALIFY THE PERSON FROM DRIVING A COMMERCIAL MOTOR VEHICLE IF:

1. THE PERSON WAS DETAINED WHILE OPERATING A COMMERCIAL MOTOR VEHICLE;

2. THE POLICE OFFICER WHO 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, IN VIOLATION OF AN ALCOHOL RESTRICTION, ~~IN VIOLATION OF 49 CFR § 392.5~~ OR IN VIOLATION OF § 16-813 OF THIS TITLE;

3. THERE WAS EVIDENCE OF ALCOHOL CONSUMPTION;

4. 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

5. THE PERSON REFUSED TO TAKE THE TEST.

(III) IF THE PERSON IS LICENSED TO DRIVE A