

*within 7 15 days of the detention, or sooner upon agreement of the operator and the Department, but under no circumstances, after said 7 15 day period, EXCEPT UPON GOOD CAUSE SHOWN TO THE SATISFACTION OF THE DEPARTMENT OR BY AGREEMENT OF THE PARTIES. At said hearing the operator shall present evidence relating to his refusal to take the test, and he may be represented by an attorney. After a complete and thorough hearing, the Department shall have the right to suspend the operator's license for a period not to exceed 60 days. Failure to attend said hearing by the detained person shall be prima facie evidence of his inability to answer the sworn statement of the police officer, and the Department may summarily suspend said person's license or privilege to operate a motor vehicle on the highways of this State for a period not to exceed 60 days.*

*(e) If the suspension or determination that there should be a denial of issuance is imposed after a hearing, the person whose driver's license or non-resident operating privilege has been suspended or to whom a license or permit is denied, under the provisions of this section, may have a court review of the final order of suspension or denial as provided in Section 109 of this Article.*

*(f) If it has been finally determined under the procedure of this section that a non-resident's privilege to operate a motor vehicle in this State has been suspended, the Department of Motor Vehicles shall give information in writing of the action taken to the Motor Vehicle Administrator of the state of the person's residence and of any state in which he has a license.*

**104A. Suspension and revocation of licenses of persons convicted of certain offenses involving alcohol.**

*(a) The Department shall revoke the driver's license of any person who:*

*(1) Is convicted of operating a motor vehicle while in an intoxicated condition; or*

*(2) Is convicted of a third or subsequent violation committed within a period of 3 years, of operating a motor vehicle while driving ability is impaired.*

*(b) The Department ~~shall~~ MAY suspend for a period of NOT MORE THAN 60 days the driver's license of any person who is convicted of operating a motor vehicle while driving ability is impaired.*

*(c) The Department ~~shall~~ MAY suspend for a period of NOT MORE THAN 120 days the driver's license of any person who is convicted of a second violation, committed within a period of 3 years, of operating a motor vehicle while driving ability is impaired.*

**(D) AT THE EXPIRATION OF ANY SUSPENSION IMPOSED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION, THE DEPARTMENT SHALL RETURN FORTHWITH THE LICENSE OR PRIVILEGE OF THE DRIVER, PROVIDED, HOWEVER, THE LICENSE OR PRIVILEGE SHALL NOT BE RETURNED IF THE DRIVER'S LICENSE OR PRIVILEGE HAS BEEN REFUSED, REVOKED, SUSPENDED OR CANCELLED UNDER ANY OTHER PROVISIONS OF THIS ARTICLE.**