

(2) Notwithstanding any other provisions of this article, before the board of license commissioners shall approve any such license, the board shall cause a notice of such application to be published two times in two successive weeks in one newspaper of general circulation in the county. The notice shall specify the name of the applicant, the kind of license applied for, and the location of the place proposed to be licensed, and the time and place fixed by the board for hearing upon the application which shall be not less than seven, nor more than thirty days after the last publication; provided, however, that the notice of application for license by way of renewal in any calendar year shall not have to be published if the original publication specified the number of times the license was to be used. [This license shall not be granted to any person more than four times in any year.]

SEC. 2. *And be it further enacted*, That this Act shall take effect July 1, 1970.

Approved April 15, 1970

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CHAPTER 156

(House Bill 297)

AN ACT to repeal and re-enact, with amendments, Section 100(c) of Article 35 of the Annotated Code of Maryland (1969 Supplement), title "Evidence," subtitle "Chemical Tests for Intoxication," amending the evidence laws of this State in order to make certain corrections in the references thereof.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 100(c) of Article 35 of the Annotated Code of Maryland (1969 Supplement), title "Evidence," subtitle "Chemical Tests for Intoxication," be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

100.

(c) No person shall be compelled to submit himself or any part of his body or bodily substance for the purpose of a chemical analysis provided for in this section and evidence of chemical analysis shall not be deemed admissible if obtained contrary to the provisions of this section; and no inference or presumption concerning either his guilt or innocence arises by reason of his refusal to submit as hereinbefore set forth, nor shall the fact of his refusal so to submit be admissible into evidence at his trial. This subsection in no way limits the provisions of Section 92A of Article 66½ of this Code regarding the consequences of refusal to submit to a chemical test or tests. In any event, the defendant shall have the right to select the type of test administered, and if facilities or equipment are not available for such test then none shall be given, and this fact shall not create any inference or presumption concerning either his guilt or innocence by reason of his inability to take a test, nor shall the fact of his inability to take such a test be admissible in evidence