

IF THERE WAS IN HIS BLOOD AT THE TIME OF TESTING FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT, OR MORE, BY WEIGHT, OF ALCOHOL, AS DETERMINED BY AN ANALYSIS OF HIS BLOOD OR BREATH, OR IF THERE WAS IN HIS URINE, TWENTY ONE-HUNDREDTHS OF ONE PERCENT, OR MORE, BY WEIGHT, OF ALCOHOL, IT SHALL BE PRIMA FACIE EVIDENCE THAT THE DEFENDANT WAS IN AN INTOXICATED CONDITION.

REVISOR'S NOTE: This section presently appears as Art. 35, §100(a). Changes are made in style and language. The section is divided into five subsections for organizational purposes.

SEC. 10-308. OTHER EVIDENCE.

THE EVIDENCE OF THE CHEMICAL ANALYSIS DOES NOT LIMIT THE INTRODUCTION OF OTHER EVIDENCE BEARING UPON WHETHER THE DEFENDANT WAS IN AN INTOXICATED CONDITION, UNDER THE INFLUENCE OF INTOXICATING LIQUOR, OR HIS DRIVING ABILITY WAS IMPAIRED BY THE CONSUMPTION OF ALCOHOL.

REVISOR'S NOTE: This section is new language derived from Art. 35, §100(b).

SEC. 10-309. REFUSAL TO SUBMIT TO TEST.

(A) NOT COMPULSORY.

A PERSON MAY NOT BE COMPELLED TO SUBMIT TO A CHEMICAL ANALYSIS PROVIDED FOR IN THIS SUBTITLE. EVIDENCE OF CHEMICAL ANALYSIS IS NOT ADMISSIBLE IF OBTAINED CONTRARY TO ITS PROVISIONS. NO INFERENCE OR PRESUMPTION CONCERNING EITHER GUILT OR INNOCENCE ARISES BECAUSE OF REFUSAL TO SUBMIT. THE FACT OF REFUSAL TO SUBMIT IS NOT ADMISSIBLE IN EVIDENCE AT THE TRIAL.

(B) CONSEQUENCES OF REFUSAL.

THIS SUBSECTION DOES NOT LIMIT THE PROVISIONS OF THE VEHICLE LAWS REGARDING THE CONSEQUENCES OF REFUSAL TO SUBMIT TO A CHEMICAL TEST OR TESTS.

REVISOR'S NOTE: This section is new language derived from Art. 35, §100(c). The language and style are changed and this portion is subdivided for the purpose of ease in interpretation.

Subsection (b) refers to Art. 66 1/2,