

Article - Courts and Judicial Proceedings

10-307.

(a) In a proceeding in which a person is charged with driving or attempting to drive a vehicle in violation of § 11-902 of Article 66 1/2 of the Code, [or while his ability is impaired by the consumption of alcohol,] the amount of alcohol in the person's breath, blood, or urine shown in chemical analysis as provided in this subtitle is admissible in evidence and has the effect set forth in subsection (b) through (e).

(b) If there was in his blood at the time of testing 0.05 percent or less, by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine 0.08 percent or less, by weight, of alcohol, it shall be presumed that the defendant was not in an intoxicated condition, that his driving ability was not impaired by the consumption of alcohol, and that he was not under the influence of intoxicating liquor.

(c) If there was in his blood at the time of testing more than 0.05 percent, but less than 0.10 percent, by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine more than 0.08 percent, but less than 0.13 percent, by weight, of alcohol, this fact may not give rise to any presumption that the defendant was or was not in an intoxicated condition or was or was not under the influence of intoxicating liquor, OR THAT HIS DRIVING ABILITY WAS OR WAS NOT IMPAIRED BY THE CONSUMPTION OF ALCOHOL, but this fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.

(d) If there was in his blood at the time of testing 0.10 percent, or more, by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine 0.13 percent, or more, by weight, of alcohol, it shall be [evidence that the defendant's driving ability was impaired by the consumption of alcohol, and this fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.] PRIMA FACIE EVIDENCE THAT THE DEFENDANT'S DRIVING ABILITY WAS IMPAIRED BY THE CONSUMPTION OF ALCOHOL.

(e) If there was in his blood at the time of testing 0.15 percent, or more, by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine, 0.20 percent, or more, by weight, of alcohol, it shall be prima facie evidence that the defendant was in an intoxicated condition.