

CHAPTER 423

(Senate Bill 32)

AN ACT concerning

Urine Test for Alcohol

FOR the purpose of removing from the Code obsolete references to urine tests for alcohol.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 10-307
Annotated Code of Maryland
(1974 Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section (s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

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 §21-902 of the Transportation Article, the amount of alcohol in the person's breath[, blood, or urine] OR BLOOD shown in chemical analysis as provided in this subtitle is admissible in evidence and has the effect set forth in subsections (b) through (e) of this section.

(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 intoxicated and that his driving ability was not impaired by the consumption of alcohol.

(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 intoxicated 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