

Approved April 8, 1980.

CHAPTER 41

(Senate Bill 86)

AN ACT concerning

Motor Vehicles - Tests for Intoxication

FOR the purpose of changing definitions; deleting the requirement that a certain police officer request a breath test; providing that certain people may draw blood and certain people may conduct the blood ~~test~~ and breath tests; clarifying language; and generally relating to the administration of tests for alcohol ~~or~~ drug content of the blood.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 10-302, 10-304(a), (b), and (c)
Annotated Code of Maryland
(1974 Volume and 1979 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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

10-302.

In a prosecution for a violation of a law concerning a person who is driving or attempting to drive a vehicle in violation of § 21-902 of the Transportation Article, a chemical test of his breath or blood may be administered to the person for the purpose of determining the [alcoholic] ALCOHOL ~~OR-DRUG~~ content of his blood.

10-304.

(a) ["Qualified person" means a physician, a police officer, or a police employee who has received training in the use of the equipment in a training program approved by the toxicologist of the office of the chief medical examiner of the Department of Postmortem Examiners.] (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "QUALIFIED MEDICAL PERSON" MEANS ANY PERSON PERMITTED BY LAW TO WITHDRAW BLOOD FROM HUMANS.