

(2) The Maryland State Police may adopt rules and regulations for the examination and certification of individuals trained to administer chemical tests for alcohol.

(e) (1) On receipt of the sworn statement of a police officer filed under subsection (c) of this section, the Administration shall give reasonable notice to the driver, in accordance with Title 12, Subtitle 2 of this article, to attend a hearing on a date specified in the notice and show cause why his license or privilege to drive should not be suspended [for refusing to take the test].

(2) The Administration shall set the hearing for a date within 30 days of the driver's detention. However, the hearing may be held at any other time on agreement of the driver and the Administration.

(3) At the hearing, the driver may present evidence about his refusal to take the test and may be represented by an attorney.

(4) After the hearing, the Administration [may] SHALL suspend the driver's license or privilege to drive for not [more] LESS than 60 days NOR MORE THAN 6 MONTHS IF THE ADMINISTRATION DETERMINES THAT THE DRIVER WAS CHARGED AS SET FORTH IN ~~§-(B)(3) SUBSECTIONS-(B)(3)-AND-(C) SUBSECTION (C)~~ AND REFUSED TO TAKE A CHEMICAL TEST FOR ALCOHOL. Failure of the driver to attend the hearing is prima facie evidence of his inability to answer the sworn statement of the police officer, and the Administration summarily [may] SHALL suspend his license or privilege to drive for not [more] LESS than 60 days NOR MORE THAN 6 MONTHS.

(5) THE ADMINISTRATION MAY MODIFY THIS SUSPENSION OR ISSUE A RESTRICTIVE LICENSE IF:

(I) THE LICENSEE IS REQUIRED TO DRIVE A MOTOR VEHICLE IN THE COURSE OF HIS EMPLOYMENT;

(II) THE LICENSE IS REQUIRED FOR THE PURPOSE OF ATTENDING AN ALCOHOLIC PREVENTION OR TREATMENT PROGRAM; OR

(III) THE HEARING OFFICER IT FINDS THAT THE LICENSEE HAS NO MEANS OF TRANSPORTATION AVAILABLE TO HIM AND WITHOUT HIS LICENSE, HIS ABILITY TO EARN A LIVING WOULD BE SEVERELY IMPAIRED.

(f) If the Administration imposes a suspension after a hearing, the individual whose license or privilege to drive has been suspended may appeal the final order of suspension as provided in Title 12, Subtitle 2 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.