

FOR the purpose of providing that the Motor Vehicle Administration shall suspend the driver's license of a person for a certain period of time for a second or subsequent refusal to take the chemical test for alcohol; and generally relating to the suspension of a driver's license for failure to take a chemical test.

BY repealing and reenacting, with amendments,

Article - Transportation  
Section 16-205.1  
Annotated Code of Maryland  
(1977 Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Transportation

16-205.1.

(a) Any person who drives or attempts to drive a motor vehicle on a highway or on any private property that is used by the public in general in this State is deemed to have consented, subject to the provisions of §§ 10-302 through 10-309, inclusive, of the Courts and Judicial Proceedings Article, to take a chemical test to determine the alcohol content of his blood if he should be detained on suspicion of driving or attempting to drive while intoxicated or while under the influence of alcohol.

(b) (1) Except as provided in subsection (c) of this section, a person may not be compelled to take a chemical test for alcohol. However, the detaining officer shall advise him that on receipt of a sworn statement from the officer that the driver was so charged and refused to take a chemical test for alcohol, the Administration shall:

(i) In the case of a driver licensed under this title, suspend his driver's license for a period of not less than 60 days nor more than 6 months FOR A FIRST OFFENSE AND NOT LESS THAN ~~6--MONTHS~~ 120 DAYS NOR MORE THAN 1 YEAR FOR A SECOND OR SUBSEQUENT OFFENSE; or

(ii) In the case of a nonresident or unlicensed driver, suspend the person's driving privilege for a period of not less than 60 days nor more than 6 months FOR A FIRST OFFENSE AND NOT LESS THAN ~~6--MONTHS~~ 120 DAYS NOR MORE THAN 1 YEAR FOR A SECOND OR SUBSEQUENT OFFENSE.

(2) Except as provided in subsection (c) of this section, if a police officer stops or detains any individual who the police officer has reasonable grounds to believe is or has been driving or attempting to drive a motor vehicle while intoxicated or while under the influence of alcohol and who is