

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; 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.

(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 not unconscious or otherwise incapable of refusing to take a chemical test for alcohol, the police officer shall:

(i) Detain the individual;

(ii) Request that the individual permit a chemical test to be taken of the individual's blood or breath to determine the alcoholic content of the individual's blood;

(iii) Advise the individual of the administrative penalties that shall be imposed for refusal to take the test; and

(iv) If the individual refuses to take the test, [file with the Administration, within 48 hours after detention, a sworn report that] SEND A SWORN REPORT TO THE ADMINISTRATION WITHIN 72 HOURS AFTER DETENTION, THAT STATES:

1. The officer had reasonable grounds to believe that the individual had been driving or attempting to drive a motor vehicle on a highway or on any private property that is used by the public in general in this State while intoxicated or while under the influence of alcohol; and

2. The individual refused to take the chemical test for alcohol when requested by the police officer and after being informed of the administrative penalties that shall be imposed for refusal.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.

Approved May 24, 1983.

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