

(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:

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.

(c) If a person is involved in a motor vehicle accident that results in the death of another person and the person is detained by a police officer who has reasonable grounds to believe that the person has been driving or attempting to drive while intoxicated or while under the influence of alcohol, the person shall be required to submit to a chemical test, as directed by the officer, of the person's blood or breath to determine the alcohol content of the person's blood. Medical personnel shall complete the test upon the direction of the detaining officer or officers. Any medical personnel who perform any test required by this section are not liable for any civil damages as the result of any act or omission related to such test, not amounting to gross negligence.