

1. The officer had reasonable grounds to believe that the person 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 under the influence of alcohol, while impaired by alcohol, while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person could not drive a vehicle safely, while impaired by a controlled dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813 of this title;

2. The person refused to take a test when requested by the police officer [or], the person submitted to the test which indicated an alcohol concentration of 0.08 or more at the time of testing, OR THE PERSON SUBMITTED TO THE TEST WHICH INDICATED AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING; and

3. The person was fully advised of the administrative sanctions that shall be imposed, including the fact that a person who refuses to take the test OR TAKES A TEST THAT INDICATES AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING is ineligible for modification of a suspension or issuance of a restrictive license under subsection (n)(1) or (2) of this section.

(f) (1) Subject to the provisions of this subsection, at the time of, or within 30 days from the date of, the issuance of an order of suspension, a person may submit a written request for a hearing before an officer of the Administration if:

(i) The person is arrested for driving or attempting to drive a motor vehicle while under the influence of alcohol, while impaired by alcohol, while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person could not drive a vehicle safely, while impaired by a controlled dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813 of this title; and

(ii) 1. There is an alcohol concentration of 0.08 or more at the time of testing; or

2. The person refused to take a test.

(4) If a hearing request is not made at the time of or within 10 days after the issuance of the order of suspension, the Administration shall:

(i) Make the suspension order effective suspending the license:

1. [For] EXCEPT AS PROVIDED IN ITEM 2 OF THIS ITEM, FOR a test result indicating an alcohol concentration of 0.08 or more at the time of testing:

A. For a first offense, for 45 days; or

B. For a second or subsequent offense, for 90 days; [or]

2. FOR A TEST RESULT INDICATING AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING:

A. FOR A FIRST OFFENSE, FOR 90 DAYS; OR