

B. FOR A SECOND OR SUBSEQUENT OFFENSE, FOR 180 DAYS:
OR

[2.] 3. For a test refusal:

A. For a first offense, for 120 days; or

B. For a second offense or subsequent offense, for 1 year; and

(7) (i) At a hearing under this section, the person has the rights described in § 12-206 of this article, but at the hearing the only issues shall be:

1. Whether the police officer who stops or detains a person had reasonable grounds to believe the person was driving or attempting to drive 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. Whether there was evidence of the use by the person of alcohol, any drug, any combination of drugs, a combination of one or more drugs and alcohol, or a controlled dangerous substance;

3. Whether the police officer requested a test after the person was fully advised, AS REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION, of the administrative sanctions that shall be imposed[, including the fact that a person who refuses to take the test is ineligible for modification of a suspension or issuance of a restrictive license under subsection (n)(1) and (2) of this section] AS REQUIRED UNDER SUBSECTION (B)(2) OF THIS SECTION;

4. Whether the person refused to take the test;

5. Whether the person drove or attempted to drive a motor vehicle while having an alcohol concentration of 0.08 or more at the time of testing; [or]

6. WHETHER THE PERSON DROVE OR ATTEMPTED TO DRIVE A MOTOR VEHICLE WHILE HAVING AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING; OR

[6.] 7. If the hearing involves disqualification of a commercial driver's license, whether the person was operating a commercial motor vehicle or held a commercial driver's license,

(ii) The sworn statement of the police officer and of the test technician or analyst shall be prima facie evidence of a test refusal [or], a test [resulting in] RESULT INDICATING an alcohol concentration of 0.08 or more at the time of testing, OR A TEST RESULT INDICATING AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING.