

(ii) The licensee has not been convicted under § 21-902 of this article; [and]

(III) THE LICENSEE HAS A TEST RESULT INDICATING AN ALCOHOL CONCENTRATION OF LESS THAN 0.15; AND

[(iii)] (IV) The license is required for the purpose of attending:

1. A noncollegiate educational institution as defined in § 2-206(a) of the Education Article; or

2. A regular program at an institution of postsecondary education.

(3) If the licensee refused to take a test OR TOOK A TEST THAT INDICATED AN ALCOHOL CONCENTRATION OF 0.15 OR MORE AT THE TIME OF TESTING, the Administration may not modify a suspension under this section or issue a restrictive license except as provided under paragraph (4) of this subsection.

(4) (I) In addition to the authority to modify a suspension or issue a restrictive license under SUBSECTION (B)(3)(VII) OF THIS SECTION OR paragraph (1) or (2) of this subsection, the Administration may modify a suspension under this section or issue a restrictive license to a licensee AS PROVIDED IN THIS PARAGRAPH [who participates in the Ignition Interlock System Program established under § 16-404.1 of this title for at least 1 year].

(II) IF THE LICENSEE REFUSED TO TAKE A TEST OR TOOK A TEST THAT INDICATED AN ALCOHOL CONCENTRATION OF 0.15 OR MORE, THE ADMINISTRATION MAY MODIFY A SUSPENSION UNDER THIS SECTION OR ISSUE A RESTRICTIVE LICENSE IF THE LICENSEE PARTICIPATES IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR 1 YEAR.

(5) (I) IF THE ADMINISTRATION MODIFIES A SUSPENSION OR ISSUES A RESTRICTIVE LICENSE UNDER SUBSECTION (B)(3)(VII) OF THIS SECTION OR PARAGRAPH (4) OF THIS SUBSECTION AND THE LICENSEE DOES NOT SUCCESSFULLY COMPLETE THE LICENSEE'S REQUIRED PARTICIPATION IN THE IGNITION INTERLOCK SYSTEM PROGRAM, THE ADMINISTRATION SHALL SUMMARILY SUSPEND THE LICENSEE'S DRIVER'S LICENSE OR DRIVING PRIVILEGE FOR THE FULL PERIOD OF SUSPENSION SPECIFIED IN THIS SECTION FOR THE APPLICABLE ADMINISTRATIVE OFFENSE.

(II) THE ADMINISTRATION SHALL NOTIFY A LICENSEE OF A PROPOSED SUSPENSION UNDER THIS PARAGRAPH.

(III) A LICENSEE MAY REQUEST AN ADMINISTRATIVE HEARING ON A PROPOSED SUSPENSION IMPOSED UNDER THIS PARAGRAPH.

16-404.1.

(b) (3) An individual may be a participant if: