

(c) If a charge of a Maryland Vehicle Law violation against any individual is dismissed by a court of competent jurisdiction, a record of the charge and dismissal may not be included in the individual's driving record.

16-205.1.

(a) (1) (i) In this section, the following words have the meanings indicated.

(ii) "Under the influence of alcohol" includes under the influence of alcohol per se as defined by § 11-127.1 of this article.

(iii) "Specimen of blood" and "1 specimen of blood" means 1 sample of blood that is taken, in a single procedure, in 2 or more portions in 2 or more separate vials.

(iv) "Test" means, unless the context requires otherwise:

1. A test of a person's breath or of 1 specimen of a person's blood to determine alcohol concentration;

2. A test or tests of 1 specimen of a person's blood to determine the drug or controlled dangerous substance content of the person's blood; or

3. Both:

A. A test of a person's breath or a test of 1 specimen of a person's blood, to determine alcohol concentration; and

B. A test or tests of 1 specimen of a person's blood to determine the drug or controlled dangerous substance content of the person's blood.

(2) Any person who drives or attempts to drive a motor vehicle on a highway or on any private property that is used by the public in general in this State is deemed to have consented, subject to the provisions of §§ 10-302 through 10-309, inclusive, of the Courts and Judicial Proceedings Article, to take a test if the person should be detained on suspicion of 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.

(b) (1) Except as provided in subsection (c) of this section, a person may not be compelled to take a test. However, the detaining officer shall advise the person that, on receipt of a sworn statement from the officer that the person was so charged and refused to take a test, or was tested and the result indicated an alcohol concentration of 0.08 or more, the Administration shall:

(i) In the case of a person licensed under this title:

1. For a test result indicating an alcohol concentration of 0.08 or more at the time of testing: