

(i) The licensee did not refuse to take a test;

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

(iii) 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, 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) In addition to the authority to modify a suspension or issue a restrictive license under paragraph (1) or (2) of this subsection, the Administration may modify a suspension under this section or issue a restrictive license to a licensee who participates in the Ignition Interlock System Program established under § 16-404.1 of this title for at least 1 year.

(O) THE PROVISIONS OF THIS SECTION RELATING TO DISQUALIFICATION DO NOT APPLY TO OFFENSES COMMITTED BY AN INDIVIDUAL IN A NONCOMMERCIAL MOTOR VEHICLE BEFORE:

(1) SEPTEMBER 30, 2005; OR

(2) THE INITIAL ISSUANCE TO THE INDIVIDUAL OF A COMMERCIAL DRIVER'S LICENSE BY ANY STATE.

16-208.1.

(a) In addition to any suspensions or revocations of an individual's license or privilege to drive provided for in this title, if the individual holds a Class A, B, [C, or D] OR C license issued under [§ 16-104] § 16-815 of this title OR IS OPERATING A COMMERCIAL MOTOR VEHICLE, the Administration shall disqualify the individual from operating a commercial motor vehicle if the convictions resulted from an offense [involving a commercial motor vehicle and the] OR offenses THAT would subject the individual to disqualification under § 16-812 of this title.

(b) Any*disqualification imposed under subsection (a) of this section shall be for the period of time provided in § 16-812 of this title.

(c) If an individual has been disqualified from operating a commercial motor vehicle pursuant to subsection (a) of this section, but that individual is otherwise eligible for a license or privilege to operate vehicles other than commercial motor vehicles, the Administration may issue a noncommercial driver's license to that individual.