

qualifications for jury service, and that this information need not be furnished if the person finds it objectionable to do so.

DRAFTER'S NOTE: This corrects an error in an internal reference in § 8-202 of the Courts Article.

The error occurred in Ch. 5 of the Acts of 1986.

The error was noted by a judge of the Circuit Court for Harford County.

10-307.

(f) If at the time of testing there was in the person's blood 0.01 percent or more by weight of alcohol, as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that the defendant was driving with alcohol in the defendant's [body] BLOOD.

DRAFTER'S NOTE: This clarifies the language of § 10-307(f) of the Courts Article.

The prohibition provided under § 16-113 of the Transportation Article, as enacted by Ch. 369 of the Acts of 1986, is against the driving of a motor vehicle while having alcohol in one's blood. Therefore, testing for the presence of alcohol is intended to show the presence of alcohol in the driver's blood, not the driver's body.

The clarification was suggested by the State Attorney General in his bill review letter of May 6, 1986.

12-702.

(c) If a defendant who appeals from a conviction in the District Court is convicted after a trial de novo on appeal, the appellate court may impose a more severe sentence than that imposed in the District Court, but if the case is one in which the defendant was denied a jury trial under [§ 4-302(d)(2)] § 4-302(E)(2) of this article, the sentence may not be for more than 90 days except under the conditions prescribed in subsection (b) of this section. Except as provided above, the appellate court may impose any sentence authorized by law to be imposed as punishment for the offense.

DRAFTER'S NOTE: This corrects an outdated cross-reference in § 12-702(c) of the Courts Article.

Subsection (d) of § 4-302 of the Courts Article became subsection (e) of § 4-302 of that article in Ch. 664 of the Acts of 1984.