

~~(6) (i) AFTER THE HEARING, THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OR PRIVILEGE TO DRIVE IF THE ADMINISTRATION DETERMINES THAT THE PERSON CHARGED AS SET FORTH IN SUBSECTION (B) OR (C) OF THIS SECTION EITHER:~~

~~1. REFUSED TO TAKE A TEST OR TESTS; OR~~

~~2. A TEST WAS TAKEN AND THE TEST RESULT INDICATED AN ALCOHOL CONCENTRATION OF 0.10 OR MORE AT THE TIME OF TESTING.~~

(7) (I) AFTER THE HEARING, THE ADMINISTRATION SHALL SUSPEND THE DRIVER'S LICENSE OR PRIVILEGE TO DRIVE OF THE PERSON CHARGED UNDER SUBSECTION (B) OR (C) OF THIS SECTION IF:

1. THE POLICE OFFICER WHO STOPS OR DETAINS THE PERSON HAD REASONABLE GROUNDS TO BELIEVE THE PERSON WAS DRIVING OR ATTEMPTING TO DRIVE WHILE INTOXICATED, WHILE UNDER THE INFLUENCE OF ALCOHOL, OR IN VIOLATION OF AN ALCOHOL RESTRICTION;

2. THERE WAS EVIDENCE OF ALCOHOL CONSUMPTION;

3. THE POLICE OFFICER REQUESTED A CHEMICAL TEST TO DETERMINE ALCOHOL CONCENTRATION AFTER THE PERSON WAS FULLY ADVISED OF THE ADMINISTRATIVE SANCTIONS THAT SHALL BE IMPOSED; AND

4. A. THE PERSON:

A. REFUSED TO TAKE A CHEMICAL TEST TO DETERMINE ALCOHOL CONCENTRATION; OR

B. A CHEMICAL TEST TO DETERMINE ALCOHOL CONCENTRATION WAS TAKEN AND THE TEST RESULT INDICATED AN ALCOHOL CONCENTRATION OF 0.10 OR MORE AT THE TIME OF TESTING.

(II) IN THE ABSENCE OF A COMPELLING REASON FOR FAILURE TO ATTEND THE HEARING, FAILURE OF A PERSON TO ATTEND THE HEARING IN THE ABSENCE OF A COMPELLING REASON FOR FAILURE TO ATTEND, IS PRIMA FACIE EVIDENCE OF THE PERSON'S INABILITY TO ANSWER THE SWORN STATEMENT OF THE POLICE OFFICER OR THE TEST TECHNICIAN OR ANALYST, AND THE ADMINISTRATION SUMMARILY SHALL SUSPEND THE DRIVER'S LICENSE OR PRIVILEGE TO DRIVE.

~~(iii) THE SUSPENSION IMPOSED SHALL BE 1 YEAR FOR A TEST REFUSAL AND 120 DAYS FOR A TEST RESULT INDICATING AN ALCOHOL CONCENTRATION OF 0.10 OR MORE AT THE TIME OF TESTING.~~

(III) THE SUSPENSION IMPOSED SHALL BE: