

(2) The licensee has not been convicted of a moving violation or a criminal offense involving a motor vehicle for the preceding 5 years, and the licensee's record shows not more than one suspension and no revocations; or

(3) The licensee has not been convicted of nor been granted probation before judgment for a violation of § 21-902 of this article nor been convicted of any other moving violation or criminal offense involving a motor vehicle for the preceding 10 years, regardless of the number of suspensions or revocations.

16-205.1.

(a) 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 chemical test to determine the alcohol content of his blood if he should be detained on suspicion of driving or attempting to drive while intoxicated, while under the influence of alcohol, [or] in violation of an alcohol restriction, IN VIOLATION OF 49 CFR § 392.5, OR IN VIOLATION OF § 16-813 OF THIS ARTICLE TITLE.

(b) (1) Except as provided in subsection (c) of this section, a person may not be compelled to take a chemical test for alcohol. However, the detaining officer shall advise him that, on receipt of a sworn statement from the officer that the driver was so charged and refused to take a chemical test for alcohol, the Administration shall:

(i) 1. In the case of a driver licensed under [this title] SUBTITLE 1 OF THIS TITLE, suspend his driver's license for a period of not less than 60 days nor more than 6 months for a first offense and not less than 120 days nor more than 1 year for a second or subsequent offense; or

[(ii)] 2. In the case of a nonresident or unlicensed driver, suspend the person's driving privilege for a period of not less than 60 days nor more than 6 months for a first offense and not less than 120 days nor more than 1 year for a second or subsequent offense; AND

(II) 1. IN THE CASE OF A DRIVER OPERATING A COMMERCIAL MOTOR VEHICLE, DISQUALIFY THE PERSON'S COMMERCIAL DRIVER'S LICENSE FOR A PERIOD OF 1 YEAR FOR A FIRST OFFENSE, 3 YEARS FOR A FIRST OFFENSE WHICH OCCURS WHILE TRANSPORTING HAZARDOUS MATERIALS REQUIRED TO BE PLACARDED, AND DISQUALIFY FOR LIFE FOR A SECOND OR SUBSEQUENT OFFENSE WHICH OCCURS WHILE OPERATING ANY COMMERCIAL MOTOR VEHICLE; OR

2. IN THE CASE OF A DRIVER LICENSED AS A COMMERCIAL DRIVER BY ANOTHER STATE, DISQUALIFY THE DRIVER'S