

WILLIAM DONALD SCHAEFER, Governor

available only to the Administration, the courts, criminal justice agencies, and the defendant or his attorney. However, a record or notation of a probation before judgment, OR A FIRST OFFENSE OF DRIVING WITH AN ALCOHOL CONCENTRATION OF 0.10 OR MORE UNDER § 16-205.1 OF THIS ARTICLE, may not be received or considered by the courts until a plea of guilty or nolo contendere is made by the defendant or a finding of guilty is made by the court.

(3) These records or notations shall be made so that they are readily available for consideration by the Administration of any license renewal application and at any other suitable time.

(4) Accident reports and abstracts of court convictions pertaining to driving an emergency vehicle, if received by a person who was driving an emergency vehicle pursuant to the provisions of § 21-106 of this article, shall be segregated by the Administration and shall be available only to the Administration.

(5) Except as provided in this section, an employee of the Administration may not disclose any records or information regarding probation before judgment, OR A FIRST OFFENSE OF DRIVING WITH AN ALCOHOL CONCENTRATION OF 0.10 OR MORE UNDER § 16-205.1 OF THIS ARTICLE.

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] CONCENTRATION OF THE PERSON'S BLOOD OR BREATH AND TESTS TO DETERMINE THE DRUG CONTENT OF THE PERSON'S BODY if [he] THE PERSON should be detained on suspicion of driving or attempting to drive while intoxicated, while under the influence of alcohol, WHILE UNDER THE INFLUENCE OF DRUGS OR DRUGS AND ALCOHOL, WHILE UNDER THE INFLUENCE OF A CONTROLLED DANGEROUS SUBSTANCE, or in violation of an alcohol restriction.

(b) (1) Except as provided in subsection (c) of this section, a person may not be compelled to take a [chemical] ANY test for alcohol OR DRUGS. However, the detaining officer shall advise [him] THE PERSON that, on receipt of a sworn statement from the officer that the [driver] PERSON was so charged and refused to take a [chemical] test for alcohol OR DRUGS OR BOTH OR WAS TESTED AND THE RESULT INDICATED AN ALCOHOL CONCENTRATION OF 0.10 OR MORE, the Administration shall: