

WILLIAM DONALD SCHAEFER, Governor

while intoxicated {or} while under the influence of alcohol, ~~WHILE-UNDER-THE-INFLUENCE-OF-DRUGS-OR-DRUGS-AND-ALCOHOL-OR-WHILE-UNDER-THE-INFLUENCE-OF--A--CONTROLLED--DANGEROUS--SUBSTANCE~~, the person shall be required to submit to a [chemical] test ~~OR-TESTS~~, as directed by the officer, [of the person's blood or breath] to determine the alcohol [content] CONCENTRATION of the person's blood ~~OR BREATH OR-DRUG-CONTENT-OF-THE-PERSON'S-BODY~~.

(2) If a police officer directs that a person's blood {or} breath, ~~URINE-OR-OTHER-BODY-FLUIDS~~ be tested for alcohol ~~OR-DRUGS-OR-BOTH~~, then the provisions of § 10-304 of the Courts and Judicial Proceedings Article shall apply.

(3) Any medical personnel who perform any {test} TESTS required by this section are not liable for any civil damages as the result of any act or omission related to such {test} TESTS, not amounting to gross negligence.

(d) (1) If a police officer has reasonable grounds to believe [an individual] A PERSON has been driving or attempting to drive a motor vehicle while intoxicated {or} while under the influence of alcohol, ~~WHILE-UNDER-THE-INFLUENCE-OF-DRUGS-OR-DRUGS-AND-ALCOHOL-OR-WHILE-UNDER-THE-INFLUENCE-OF--A--CONTROLLED-DANGEROUS-SUBSTANCE~~, and if the police officer determines the [individual] PERSON is unconscious or otherwise incapable of refusing to take a [chemical] test ~~OR-TESTS~~ for alcohol, the police officer shall:

(i) Obtain prompt medical attention for the [individual] PERSON;

(ii) If necessary, arrange for removal of the [individual] PERSON to a nearby medical facility; and

(iii) If a [chemical] test for alcohol, ~~DRUGS~~, ~~OR-BOTH~~ would not jeopardize the health or well-being of the [individual] PERSON, direct a qualified medical person to withdraw blood for [a chemical test] TESTS A TEST [for alcohol] to determine the alcohol [content] CONCENTRATION ~~OR-DRUG-CONTENT OR-BOTH~~ of the [individual's blood] PERSON'S BODY.

(2) If [an individual] A PERSON regains consciousness or otherwise becomes capable of refusing before the taking of [a chemical test] TESTS A TEST to determine the alcohol [content] CONCENTRATION ~~OR-DRUG-CONTENT-OR-BOTH~~ of the [individual's blood] PERSON'S BODY, the police officer shall follow the procedure set forth in subsection (b) or (c) of this section.

(e) (1) The [chemical] tests for alcohol may be administered by an individual who has been examined and is certified by the Maryland State Police as sufficiently equipped and trained to administer the tests.