

WILLIAM DONALD SCHAEFER, Governor

~~(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:~~

~~1. -- FOR A TEST RESULT INDICATING AN ALCOHOL CONCENTRATION OF 0.10 OR MORE AT THE TIME OF TESTING;~~

~~A. -- FOR A FIRST OFFENSE, A SUSPENSION FOR 60 DAYS; OR~~

~~B. -- FOR A SECOND OR SUBSEQUENT OFFENSE, A SUSPENSION FOR 120 DAYS; OR~~

~~2. -- FOR A TEST REFUSAL:~~

~~A. -- FOR A FIRST OFFENSE, A SUSPENSION FOR 6 MONTHS; OR~~

~~B. -- FOR A SECOND OR SUBSEQUENT OFFENSE, A SUSPENSION FOR 1 YEAR.~~

(ii) SUBJECT TO THE PROVISIONS OF THIS PARAGRAPH, A POSTPONEMENT OF A HEARING UNDER THIS SECTION DOES NOT EXTEND THE PERIOD FOR WHICH THE PERSON IS AUTHORIZED TO DRIVE AND THE SUSPENSION SHALL BECOME EFFECTIVE ON THE EXPIRATION OF THE 45-DAY PERIOD.

(iii) A POSTPONEMENT OF A HEARING SHALL EXTEND THE PERIOD FOR WHICH THE PERSON IS AUTHORIZED TO DRIVE IF:

1. BOTH THE PERSON AND THE ADMINISTRATION AGREE TO THE POSTPONEMENT;

2. THE ADMINISTRATION CANNOT PROVIDE A HEARING WITHIN THE PERIOD REQUIRED UNDER THIS SUBSECTION; OR

3. UNDER CIRCUMSTANCES IN WHICH THE PERSON MADE A REQUEST, WITHIN 10 DAYS OF THE DATE THAT THE ORDER OF SUSPENSION WAS SERVED UNDER THIS SECTION, FOR THE ISSUANCE OF A SUBPOENA UNDER § 12-108 OF THIS ARTICLE EXCEPT AS TIME LIMITS ARE CHANGED BY THIS SUBSECTION:

A. THE SUBPOENA WAS NOT ISSUED BY THE ADMINISTRATION;

B. AN ADVERSE WITNESS FOR WHOM THE SUBPOENA WAS REQUESTED, AND ON WHOM THE SUBPOENA WAS SERVED NOT LESS THAN 5 DAYS BEFORE THE HEARING, FAILS TO COMPLY WITH THE SUBPOENA AT AN INITIAL OR SUBSEQUENT HEARING HELD WITHIN THE 45-DAY PERIOD; OR