

WILLIAM DONALD SCHAEFER, Governor

{2}--"Qualified--medical--person"--means--any--person permitted-by-law-OR-AS-OTHERWISE--AUTHORIZED--to--withdraw--blood from--humans-BY-THE-SECRETARY-OF-HEALTH-AND-MENTAL-HYGIENE-OR-THE SECRETARY'S-DESIGNEE.

{3}--"Qualified--person"--means--a--person--who--has received--training--in--the--use--of--the--equipment--in--a--training program--approved--by--the--toxicologist--under--the--Postmortem Examiners--Commission--and--who--is--either--a--police--officer,--a--police employee,--[or]--an--employee--of--the--office--of--the--Chief--Medical Examiner,--OR--A--PERSON--AUTHORIZED--BY--THE--TOXICOLOGIST--UNDER--THE POSTMORTEM-EXAMINER'S-COMMISSION.

{b}--The--[chemical]--test--of--breath--shall--be--administered--by a--qualified--person--with--equipment--approved--by--the--toxicologist under--the--Postmortem--Examiners--Commission--at--the--direction--of--a police--officer.---The--officer--arresting--the--individual--may--not administer--the--[chemical]--test--of--breath.

{c}--(1)--(I)--The--blood--shall--be--obtained--by--a--qualified medical--person--using--equipment--approved--by--the--toxicologist--under the--Postmortem--Examiners--Commission--acting--at--the--request--of--a police--officer.

{II}--A--CERTIFIED--STATEMENT--BY--THE--QUALIFIED MEDICAL--PERSON--WHO--OBTAINED--THE--BLOOD--SHALL--BE--PRIMA-FACIE EVIDENCE--OF--THAT--PERSON'S--QUALIFICATIONS--AND--THAT--THE--BLOOD--WAS OBTAINED--IN--COMPLIANCE--WITH--THIS--SECTION.

{III}--THE--CERTIFIED--STATEMENT--IS--ADMISSIBLE--IN EVIDENCE--WITHOUT--THE--NECESSITY--OF--THE--QUALIFIED--MEDICAL--PERSON APPEARING--IN--COURT.

{2}--The--[chemical]--test--of--blood--shall--be--conducted by--a--qualified--person--using--equipment--approved--by--the toxicologist--under--the--Postmortem--Examiners--Commission--in--a laboratory--approved--by--[that]--THE--toxicologist.

{d}--The--person--tested--is--permitted--to--have--a--physician--of his--own--choosing--administer--a--chemical--test--in--addition--to--the one--administered--at--the--direction--of--the--police--officer,--and--in the--event--no--test--is--offered--or--requested--by--the--police--officer, the--person--may--request,--and--the--officer--shall--have--administered, one--of--the--chemical--tests--provided--for--in--this--section.}

{D}--(1)--THE--URINE--AND--OTHER--BODY--FLUIDS--SHALL--BE--OBTAINED BY--A--QUALIFIED--MEDICAL--PERSON--OR--QUALIFIED--PERSON--USING--EQUIPMENT APPROVED--BY--THE--TOXICOLOGIST--UNDER--THE--POSTMORTEM--EXAMINERS COMMISSION.

{2}--THE--TEST--OF--URINE--OR--OTHER--BODY--FLUIDS--SHALL--BE CONDUCTED--BY--A--QUALIFIED--PERSON,--USING--EQUIPMENT--APPROVED--BY--THE