

WILLIAM DONALD SCHAEFER, Governor

~~{G}--ALL--MONEYS--COLLECTED--UNDER--THIS--SECTION--SHALL--BE PAID--TO--THE--STATE--OF--MARYLAND--TO--BE--DEPOSITED--IN--THE--GENERAL FUND.~~

~~{F}--THE--PERSON--TESTED--IS--PERMITTED--TO--HAVE--A--PHYSICIAN--OF THE--PERSON'S--OWN--CHOOSING--ADMINISTER--TESTS--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 OR--MORE--OF--THE--TESTS--PROVIDED--FOR--IN--THIS--SECTION.~~

~~{f}--(G)--Nothing--in--this--section--precludes--the--right--to introduce--any--other--competent--evidence--bearing--upon--the--date--of the--certificate--or--change--in--the--equipment--since--the--date--of--the certificate.~~

10-305.

(a) The type of test administered to the defendant TO DETERMINE ALCOHOL CONCENTRATION shall be the [chemical] test of breath except that the [chemical] test of blood shall be the type of test administered if:

(1) The defendant is unconscious or otherwise incapable of refusing to take a [chemical] test for alcohol OR DRUGS OR BOTH;

(2) Injuries to the defendant require removal of the defendant to a medical facility; or

(3) The equipment for administering the [chemical] test of breath is not available.

~~{B}--IN--ADDITION--TO--THE--BREATH--TEST--TO--DETERMINE--ALCOHOL CONCENTRATION,--THE--TEST--TO--DETERMINE--DRUG--CONTENT--ADMINISTERED--TO THE--DEFENDANT--MAY--BE--THE--TESTS--OF--BLOOD,--URINE,--AND--OTHER--BODY FLUIDS.~~

~~-(b)-}-(e)~~ Any person who is dead, unconscious, or otherwise in a condition rendering him incapable of test refusal shall be deemed not to have withdrawn consent.

10-306.

(a) (1) Subject to the provisions of paragraph (2) of this subsection, in any criminal trial in which [intoxication due to the consumption of alcohol, being under the influence of alcohol, or the violation of an alcohol restriction] A VIOLATION OF § 16-113(A)(2) OR § 21-902 OF THE TRANSPORTATION ARTICLE, OR A VIOLATION OF ARTICLE 27, § 388 OR § 388A OF THE CODE[, ] is an issue, a copy of a report of the results of a [chemical] test of breath ~~-(or)-, blood,--OR--URINE--OR--OTHER--BODY--FLUIDS~~ signed by