

VETOES

[percent] or more [by weight of alcohol], as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that the defendant was intoxicated.

~~-(f)-~~ (F) If at the time of testing [there was in the person's blood] A PERSON HAS AN ALCOHOL CONCENTRATION OF 0.02 [percent] or more [by weight of alcohol], as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that the defendant was driving with alcohol in the defendant's blood.

~~-(g)-~~ (F) If at the time of testing [there was in the person's blood] A PERSON HAS AN ALCOHOL CONCENTRATION OF 0.02 [percent] or more [by weight of alcohol], as determined by an analysis of the person's blood or breath, it shall be prima facie evidence that a defendant was driving in violation of § 16-113(b) of the Transportation Article.

10-308.

The evidence of the [chemical] analysis does not limit the introduction of other evidence bearing upon whether the defendant was intoxicated or whether the defendant was driving while under the influence of alcohol ~~OR DRUGS OR BOTH~~.

10-309.

(a) (1) Except as provided in § 16-205.1(c) of the Transportation Article, a person may not be compelled to submit to [a chemical analysis] ~~TESTS A TEST~~ provided for in this subtitle. Evidence of [chemical] A TEST OR analysis is not admissible in a prosecution for a violation of § 21-902 of the Transportation Article if obtained contrary to ~~its~~ provisions ~~of § 16-205.1(b)(2)(iii) and (iii) of the Transportation Article~~.

(2) No inference or presumption concerning either guilt or innocence arises because of refusal to submit. The fact of refusal to submit is admissible in evidence at the trial.

(b) This subsection does not limit the provisions of the vehicle laws regarding the consequences of refusal to submit to a [chemical] test or tests.

(c) Nothing in this section precludes or limits the admissibility of evidence of [chemical] A TEST OR analysis in any prosecution other than for a violation of § 21-902 of the Transportation Article.

(d) Nothing in this section precludes or limits admissibility of evidence of [chemical] A TEST OR analysis which is obtained as provided in § 16-205.1(c) of the Transportation Article.