

VETOES

and may not be less than 120 days nor more than 1 year for a second or subsequent offense.

(5) [The] AFTER SUSPENDING THE DRIVER'S LICENSE UNDER PARAGRAPH (4) OF THIS SUBSECTION, THE Administration may modify [this] THE suspension or issue a restrictive license if:

(i) The licensee is required to drive a motor vehicle in the course of employment;

(ii) The license is required for the purpose of attending an alcoholic prevention or treatment program; or

(iii) It finds that the licensee has no alternative means of transportation available and without the license, the licensee's ability to earn a living would be severely impaired.

(6) IF THE DRIVER IS LICENSED TO DRIVE A COMMERCIAL MOTOR VEHICLE, THE ADMINISTRATION SHALL DISQUALIFY THE DRIVER FROM DRIVING A COMMERCIAL MOTOR VEHICLE IF THE DRIVER:

(I) WAS DETAINED WHILE DRIVING A COMMERCIAL MOTOR VEHICLE;

(II) WAS CHARGED AS SET FORTH IN SUBSECTIONS (B) AND (C) OF THIS SECTION; AND

(III) REFUSED TO TAKE A CHEMICAL TEST FOR ALCOHOL.

~~(7) IF THE DRIVER IS DETAINED WHILE DRIVING A COMMERCIAL MOTOR VEHICLE AND THE POLICE OFFICER HAD REASONABLE GROUNDS TO BELIEVE THE DRIVER WAS IN VIOLATION OF AN ALCOHOL RESTRICTION, IN VIOLATION OF 49 CFR § 392.57 OR IN VIOLATION OF § 16.813 OF THIS ARTICLE BUT THE POLICE OFFICER DID NOT HAVE REASONABLE GROUNDS TO BELIEVE THE DRIVER WAS DRIVING WHILE INTOXICATED, OR DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL, THE ADMINISTRATION SHALL DISQUALIFY THE DRIVER IN ACCORDANCE WITH PARAGRAPH (6) OF THIS SUBSECTION, BUT MAY NOT IMPOSE A SUSPENSION UNDER PARAGRAPH (4) OF THIS SUBSECTION.~~

(7) IF THE DRIVER IS LICENSED TO DRIVE A COMMERCIAL MOTOR VEHICLE, THE ADMINISTRATION SHALL DISQUALIFY THE DRIVER IN ACCORDANCE WITH PARAGRAPH (6) OF THIS SUBSECTION, BUT MAY NOT IMPOSE A SUSPENSION UNDER PARAGRAPH (4) OF THIS SUBSECTION, IF:

(I) THE DRIVER WAS DETAINED WHILE DRIVING A COMMERCIAL MOTOR VEHICLE;

(II) THE POLICE OFFICER HAD REASONABLE GROUNDS TO BELIEVE THE DRIVER WAS IN VIOLATION OF AN ALCOHOL RESTRICTION,