

1. Disqualify the person's commercial driver's license for a period of 1 year for a first offense, 3 years for a first offense which occurs while transporting hazardous materials required to be placarded, and disqualify for life for a second or subsequent offense which occurs while operating any commercial motor vehicle; or

2. If the person is licensed as a commercial driver by another state, disqualify the person's privilege to operate a commercial motor vehicle and report the refusal and disqualification to the person's resident state which may result in further penalties imposed by the person's resident state.

(2) Except as provided in subsection (c) of this section, if a police officer stops or detains any person who the police officer has reasonable grounds to believe is or has been driving or attempting to drive a motor vehicle while intoxicated, while under the influence of alcohol, while so far under the influence of any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person could not drive a vehicle safely, while under the influence of a controlled dangerous substance, in violation of an alcohol restriction, or in violation of § 16-813 of this title, and who is not unconscious or otherwise incapable of refusing to take a test, the police officer shall:

(i) Detain the person;

(ii) Request that the person permit a test to be taken; ~~and~~

(iii) Advise the person of the administrative sanctions that shall be imposed for refusal to take the test, INCLUDING INELIGIBILITY FOR MODIFICATION OF A SUSPENSION OR ISSUANCE OF A RESTRICTIVE LICENSE, and for test results indicating an alcohol concentration of 0.10 or more at the time of testing; ~~AND~~

~~(IV) ADVISE THE PERSON THAT THE ADMINISTRATION MAY MODIFY A SUSPENSION UNDER THIS SECTION OR ISSUE A RESTRICTIVE LICENSE IF:~~

~~1. THE LICENSEE DID NOT REFUSE TO TAKE A TEST;~~

~~2. THE LICENSEE HAS NOT HAD A LICENSE SUSPENDED UNDER THIS SECTION DURING THE PAST 5 YEARS;~~

~~3. THE LICENSEE HAS NOT BEEN CONVICTED UNDER § 21-902 OF THIS ARTICLE DURING THE PAST 5 YEARS; AND~~

~~4. A. THE LICENSEE IS REQUIRED TO DRIVE A MOTOR VEHICLE IN THE COURSE OF EMPLOYMENT;~~

~~B. THE LICENSE IS REQUIRED FOR THE PURPOSE OF ATTENDING AN ALCOHOLIC PREVENTION OR TREATMENT PROGRAM; OR~~

~~C. IT FINDS THAT THE LICENSEE HAS NO ALTERNATIVE MEANS OF TRANSPORTATION AVAILABLE TO OR FROM THE LICENSEE'S PLACE OF EMPLOYMENT AND, WITHOUT THE LICENSE, THE LICENSEE'S ABILITY TO EARN A LIVING WOULD BE SEVERELY IMPAIRED; AND~~