

3. The person was fully advised of the administrative sanctions that shall be imposed ~~AND OF THE CIRCUMSTANCES UNDER WHICH THE ADMINISTRATION MAY MODIFY A SUSPENSION OR ISSUE A RESTRICTIVE LICENSE.~~

~~(4) IF THE OFFICER ADVISES A PERSON OF THE PERSON'S RIGHTS UNDER THIS SECTION IN WRITING:~~

~~(I) THE DESCRIPTION OF THE CIRCUMSTANCES UNDER WHICH THE ADMINISTRATION MAY MODIFY A SUSPENSION OR ISSUE A RESTRICTIVE LICENSE SHALL BE PRINTED IN BOLD TYPE; AND~~

~~(II) THE FORM SHALL CONTAIN A LINE FOR THE PERSON TO SIGN THE FORM AND A LINE TO INITIAL THE FORM WHERE THE DESCRIPTION OF THE CIRCUMSTANCES UNDER WHICH THE ADMINISTRATION MAY MODIFY A SUSPENSION OR ISSUE A RESTRICTIVE LICENSE IS CONTAINED, INCLUDING THE FACT THAT A PERSON WHO REFUSES TO TAKE THE TEST IS INELIGIBLE FOR MODIFICATION OF A SUSPENSION OR ISSUANCE OF A RESTRICTIVE LICENSE.~~

(f) (7) (i) At a hearing under this section, the person has the rights described in § 12-206 of this article, but at the hearing the only issues shall be:

1. Whether the police officer who stops or detains a person had reasonable grounds to believe the person was driving or attempting to drive 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;

2. Whether there was evidence of the use by the person of alcohol, any drug, any combination of drugs, a combination of one or more drugs and alcohol, or a controlled dangerous substance;

3. Whether the police officer requested a test after the person was fully advised of the administrative sanctions that shall be imposed ~~AND OF THE CIRCUMSTANCES UNDER WHICH THE ADMINISTRATION MAY MODIFY A SUSPENSION OR ISSUE A RESTRICTIVE LICENSE, INCLUDING THE FACT THAT A PERSON WHO REFUSES TO TAKE THE TEST IS INELIGIBLE FOR MODIFICATION OF A SUSPENSION OR ISSUANCE OF A RESTRICTIVE LICENSE;~~

4. Whether the person refused to take the test;

5. Whether the person drove or attempted to drive a motor vehicle while having an alcohol concentration of 0.10 or more at the time of testing; or

6. If the hearing involves disqualification of a commercial driver's license, whether the person was operating a commercial motor vehicle.

(ii) The sworn statement of the police officer and of the test technician or analyst shall be prima facie evidence of a test refusal or a test resulting in an alcohol concentration of 0.10 or more at the time of testing.